

CALIFORNIA STATE LIBRARY
SACRAMENTO

This book is due on the last date stamped below.

Books may be renewed if not requested by other borrowers.

Failure to return books promptly may result in withdrawal of borrowing privileges.

DUE MAR 18 '58

DUE JUN 15 '59

DUE JUN 16 '59

DUE JUN 17 '59

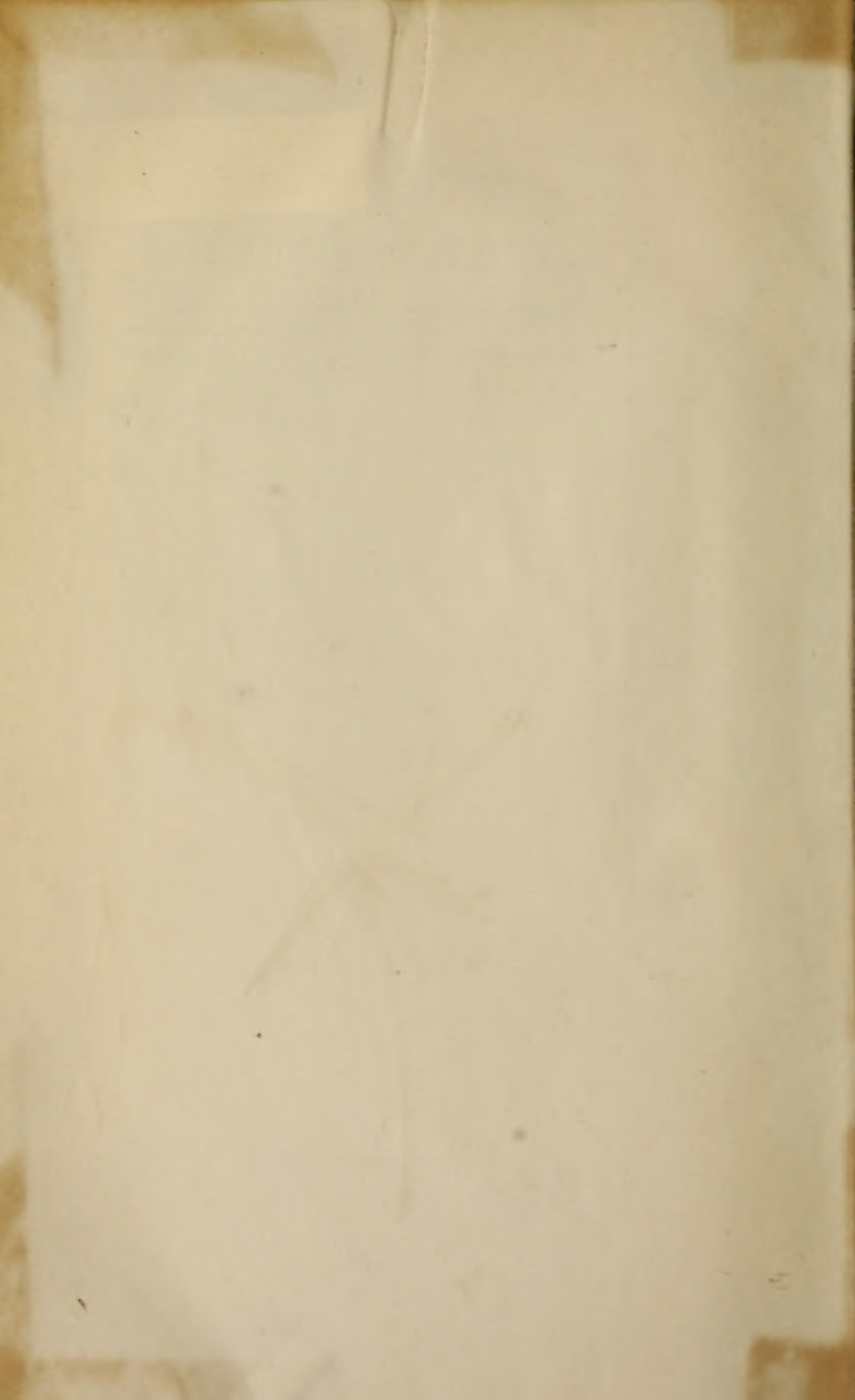
JUN 18 '59

JAN 16 1986



0 2007 1167559 1

California State Library



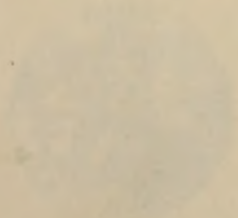
JOURNAL OF THE SENATE

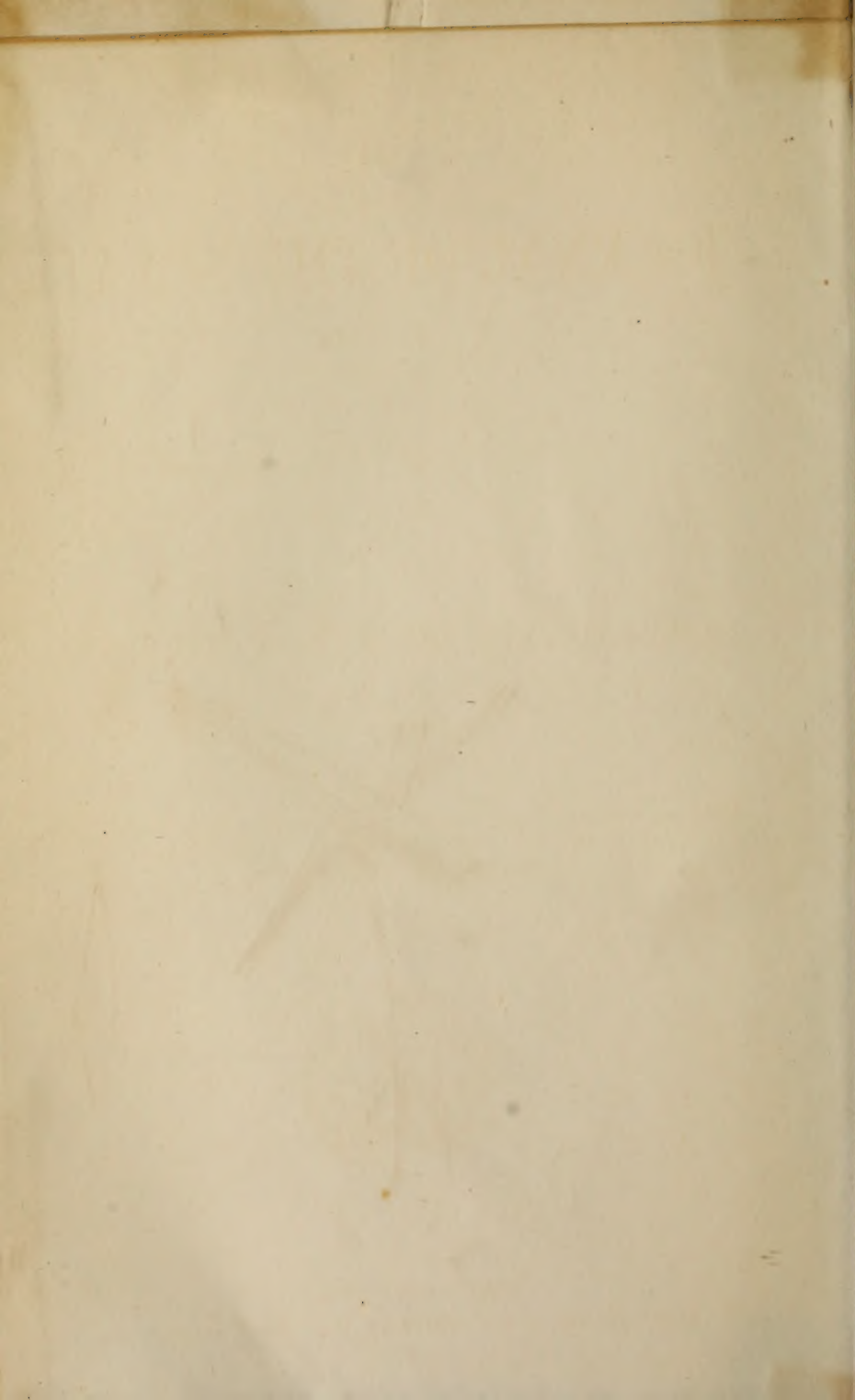
OF THE STATE OF NEW YORK

LEGISLATURE OF THE STATE OF NEW YORK

1877-78.

Published by the Senate, at the State Printing Office, Albany, N. Y., 1878.





THE
JOURNAL OF THE SENATE

DURING THE
TWENTY-SECOND SESSION

OF THE
LEGISLATURE OF THE STATE OF CALIFORNIA,
1877-8.

BEGAN ON MONDAY, DECEMBER THIRD, EIGHTEEN HUNDRED AND SEVENTY-
SEVEN, AND ENDED ON MONDAY, APRIL FIRST, EIGHTEEN
HUNDRED AND SEVENTY-EIGHT.



SACRAMENTO:
STATE OFFICE : : : F. P. THOMPSON, SUPT. STATE PRINTING.
1878.

THE

JOURNAL OF THE SENATE

OF

TWENTY-SECOND SENIOR

OF

LEGISLATURE OF THE STATE OF CALIFORNIA

1872

1873

1874

1875

1876

1877

1878

1879

1880

SALMONS LEGISLATURE SENATE

TWENTY SECOND SESSION

JOURNAL

OF THE

PROCEEDINGS OF THE SENATE.

JOURNAL

PROCEEDINGS OF THE SENATE

CALIFORNIA LEGISLATURE—SENATE.

TWENTY-SECOND SESSION.

SENATE CHAMBER,
Monday, December 3d, 1877. }

The Senate met at twelve o'clock M., pursuant to the requirements of the Constitution of the State of California.

The Hon. James A. Johnson, President of the Senate, announced that "this being the day and hour fixed by the Constitution for the convening of the Legislature, it becomes my duty as President to now call the Senate to order," and directed the Secretary to call the roll of Senators elected at the last election as the first order of business.

The Secretary called the names of the Senators elect. The following responded, presented credentials, and took the oath of office administered by the Hon. T. B. Reardon, Judge of the Fourteenth District Court, which reads as follows:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of State Senator according to the best of my ability.

George H. Smith, District No. 2; P. W. Murphy, District No. 3; Thomas Fowler, District No. 4; B. D. Murphy, District No. 7; J. C. Murphy, District No. 9; Peter Dean, District No. 10; John S. Boyston, District No. 11; Nathan Porter, District No. 14; William M. Gwin, Jr., District No. 17; N. Greene Curtis, District No. 18; J. Lambert, District No. 19; W. C. Norton, District No. 22; W. H. Brown, District No. 23; Niles Searls, District No. 24; John C. Coleman, District No. 24; J. O. Goodwin, District No. 25; W. H. Crane, District No. 26; Daniel Ream, District No. 28.

The Secretary now called the roll of the Senate, and the following Senators responded: Messrs. Angney, Beazell, Boyston, Brown of El Dorado, Coleman, Craig, Curtis, Dean, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Pierson, Porter, Ream, Rogers, Satterwhite, Searls, Shirley, and Smith.

Mr. Pierson moved that the standing rules of the last session be adopted as the temporary rules of the Senate.

Adopted.

At twelve o'clock and twenty minutes P. M., on motion of Mr. Satterwhite, the Senate adjourned until to-morrow (Tuesday), at twelve o'clock M.

IN SENATE.

SENATE CHAMBER,
Tuesday, December 4th, 1877. }

Senate met pursuant to adjournment.

President in the chair.

Roll called, and a quorum present.

Journal of yesterday read and approved.

Mr. Frank M. Brown, Senator elect from District No. 16, and Mr. A. P. Whitney, Senator elect from District No. 21, appeared, presented their credentials, and took the oath of office, administered by the Hon. T. B. Reardon, Judge of the Fourteenth District Court.

ELECTION OF OFFICERS.

On motion of Mr. Pierson, the Senate proceeded to the election of officers of the Senate for the present session, in the order enumerated in the Code.

PRESIDENT PRO TEM.

Mr. Satterwhite nominated the Hon. E. J. Lewis.

Mr. Goodwin nominated the Hon. George S. Evans.

The roll was called, with the following result:

For Lewis—Messrs. Angney, Beazell, Boyston, Coleman, Craig, Curtis, Donovan, Evans, Fowler, Gwin, Hill, Howe, Lambert, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, and Smith.

For Evans—Messrs. Brown of Amador, Brown of El Dorado, Crane, Dean, Flint, Goodwin, Haymond, Hilborn, Lewis, Norton, Porter, and Whitney.

Whole number of votes cast	40
Necessary to a choice	21
E. J. Lewis received	28
George S. Evans received	12

Mr. Lewis having received a majority of all the votes cast was declared elected President pro tem. of the Senate.

SECRETARY OF THE SENATE.

Mr. Searls nominated Rufus Shoemaker.

Mr. Porter nominated Edmond C. Conroy.

The roll was called, with the following result:

For Shoemaker—Messrs. Angney, Beazell, Boyston, Coleman, Craig, Curtis, Donovan, Fowler, Gwin, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of

San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, and Smith.

For Conroy—Brown of Amador, Brown of El Dorado, Crane, Dean, Evans, Flint, Goodwin, Haymond, Hilborn, Murphy of Santa Clara, Porter, and Whitney.

Whole number of votes cast	40
Necessary to a choice	21
R. Shoemaker received	28
Ed. C. Conroy received	12

Mr. Shoemaker having received a majority of all the votes cast was declared elected Secretary of the Senate.

ASSISTANT SECRETARIES.

Mr. Fowler moved that both of the nominees be voted for at the same time.

Agreed to.

Mr. Craig nominated George Seckel.

Mr. Searls nominated P. H. Dunn.

Mr. Flint nominated J. R. Eardley.

Mr. Evans nominated E. E. Burce.

The roll was called, with the following result:

For Dunn and Seckel—Messrs. Angney, Beazell, Boyston, Coleman, Craig, Curtis, Donovan, Fowler, Gwin, Haymond, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith.

For Eardley and Burce—Messrs. Brown of Amador, Brown of El Dorado, Crane, Dean, Evans, Flint, Goodwin, Hilborn, Norton, Porter, Whitney.

Whole number of votes cast	40
Necessary to a choice	21
P. H. Dunn received	29
George Seckel received	29
J. R. Eardley received	11
E. E. Burce received	11

Messrs. Seckle and Dunn each having received a majority of all the votes cast were declared elected Assistant Secretaries of the Senate.

SERGEANT-AT-ARMS.

Mr. Howe nominated William H. Bell.

Mr. Norton nominated Asa Plank.

The roll was called, with the following result:

For Bell—Messrs. Angney, Beazell, Boyston, Coleman, Craig, Curtis, Donovan, Fowler, Gwin, Haymond, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith.

For Plank—Messrs. Brown of Amador, Brown of El Dorado, Crane, Dean, Evans, Flint, Goodwin, Hilborn, Norton, Porter, Whitney.

Whole number of votes cast	40
Necessary to a choice	21
W. H. Bell received	29
Asa Plank received	11

Mr. Bell having received a majority of all the votes cast, was declared elected Sergeant-at-Arms of the Senate.

ASSISTANT SERGEANT-AT-ARMS.

Mr. Ream nominated S. S. Ford.

Mr. Goodwin nominated W. H. Lee.

The roll was called, with the following result:

For Ford—Messrs. Angney, Beazell, Boyston, Coleman, Craig, Curtis, Donovan, Fowler, Gwin, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, and Smith.

For Lee—Messrs. Brown of Amador, Brown of El Dorado, Crane, Dean, Evans, Flint, Goodwin, Hammond, Hilborn, Norton, Porter, and Whitney.

Whole number of votes cast	40
Necessary to a choice	21
S. S. Ford received	28
W. H. Lee received	12

Mr. Ford having received a majority of all the votes cast was declared elected Assistant Sergeant-at-Arms of the Senate.

MINUTE CLERK.

Mr. Beazell nominated Newton Benedict.

Mr. Dean nominated C. S. Ruggles.

The roll was called, with the following result:

For Benedict—Messrs. Angney, Beazell, Boyston, Coleman, Craig, Curtis, Donovan, Fowler, Gwin, Hammond, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, and Smith.

For Ruggles—Messrs. Brown of Amador, Brown of El Dorado, Crane, Dean, Evans, Flint, Goodwin, Hilborn, Norton, Porter, and Whitney.

Whole number of votes cast	40
Necessary to a choice	21
Newton Benedict received	29
C. S. Ruggles received	11

Mr. Benedict having received a majority of all the votes cast was declared elected Minute Clerk of the Senate.

JOURNAL CLERK.

Mr. Lewis nominated George B. Cosby.

Mr. Hilborn nominated T. P. Hooper.

The roll was called, with the following result:

For Cosby—Messrs. Angney, Beazell, Boyston, Coleman, Craig, Curtis, Donovan, Fowler, Gwin, Hammond, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, and Smith.

For Hooper—Messrs. Brown of Amador, Brown of El Dorado, Crane, Dean, Evans, Flint, Goodwin, Hilborn, Norton, Porter, and Whitney.

Whole number of votes cast	40
Necessary to a choice	21
George Cosby received	29
T. P. Hooper received	11

Mr. Cosby having received a majority of all the votes cast was declared elected Journal Clerk of the Senate.

ENROLLING CLERK.

Mr. Craig nominated George W. Green.

Mr. Brown nominated E. W. Witman.

The roll was called, with the following result:

For Green—Messrs. Angney, Beazell, Boyston, Coleman, Craig, Curtis, Donovan, Fowler, Gwin, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Numan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, and Smith.

For Witman—Messrs. Brown of Amador, Brown of El Dorado, Crane, Dean, Evans, Flint, Goodwin, Hilborn, Norton, Porter, and Whitney.

Whole number of votes cast.....	38
Necessary to a choice.....	20
George W. Green received.....	27
E. W. Witman received.....	11

Mr. Green having received a majority of the votes cast was declared elected Enrolling Clerk of the Senate.

ENGROSSING CLERK.

Mr. Fowler nominated Michael Mitchell.

Mr. Crane nominated J. P. Leonard.

The roll was called, with the following result:

For Mitchell—Messrs. Angney, Beazell, Boyston, Coleman, Craig, Curtis, Donovan, Fowler, Gwin, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Numan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, and Smith.

For Leonard—Messrs. Brown of Amador, Brown of El Dorado, Crane, Dean, Evans, Flint, Goodwin, Hilborn, Norton, Porter, and Smith.

Whole number of votes cast.....	38
Necessary to a choice.....	20
Michael Mitchell received.....	27
J. P. Leonard received.....	11

Mr. Mitchell having received a majority of the votes cast was declared elected Engrossing Clerk of the Senate.

POSTMASTER.

Mr. Pierson nominated A. L. Edwards.

Mr. Evans nominated Cheney Scoville.

The roll was called, with the following result:

For Edwards—Messrs. Angney, Beazell, Boyston, Coleman, Craig, Curtis, Donovan, Fowler, Gwin, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Numan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, and Smith.

For Scoville—Messrs. Brown of Amador, Brown of El Dorado, Crane, Dean, Evans, Flint, Goodwin, Hilborn, Norton, Porter, and Whitney.

Whole number of votes cast.....	38
Necessary to a choice.....	20
A. L. Edwards received.....	27
Cheney Scoville received.....	11

Mr. Edwards having received a majority of all the votes cast was declared elected Postmaster of the Senate.

The Hon. E. J. Lewis, President pro tem. elect of the Senate, upon invitation of the President, came forward and took the oath of office, administered by Judge T. B. Reardon.

The officers of the Senate elect (excepting Messrs. Mitchell and Edwards) now came forward and took the oath of office, administered by Judge T. B. Reardon.

Mr. Angney submitted the following resolution:

Resolved, That the Secretary of the Senate be directed to inform the Assembly that the Senate is now organized and ready to proceed to business, with the following officers: President pro tem., E. J. Lewis; Secretary, Rufus Shoemaker; Assistant Secretaries, George Seckel, P. H. Dunn; Sergeant-at-Arms, W. H. Bell; Assistant Sergeant-at-Arms, S. S. Ford; Minute Clerk, Newton Benedict; Journal Clerk, George B. Cosby; Enrolling Clerk, George W. Green; Engrossing Clerk, Michael Mitchell; Postmaster, A. L. Edwards, Jr.

Adopted.

Mr. Lewis submitted a resolution, as follows:

Resolved, That a committee of three Senators be appointed by the President, whose duty it shall be to draft standing rules for the government of the Senate.

Adopted.

The Chair appointed as such committee, Messrs. Lewis, Evans, and Pierson.

Mr. McGarvey submitted a resolution, as follows:

Resolved, That the Secretary of State be requested to place on the desk of each Senator the Codes and Statutes continued in force.

Adopted.

Mr. Angney moved that the Chair appoint a special committee of three to ascertain the amount of pay due the temporary officers.

Carried.

The Chair appointed as such committee Messrs. Angney, Norton, and Fowler.

The President appointed the following as Pages of the Senate: Hyman Jacobs, William T. Gilman, and Charles Ellis.

Mr. Haymond presented a report of the Special Committee on Chinese Immigration, appointed at the last session of the Senate, and charged with the investigation of questions connected with Chinese immigration to this State, etc., accompanied with testimony taken before, and resolutions adopted by, said committee, together with documents connected with the subject.

[For report and documents see Appendix.]

Mr. Donovan moved a suspension of the rules, and that twenty thousand copies of the report and documents be printed, one thousand of which to be bound.

Mr. McGarvey moved to amend, by striking out that part of the motion in reference to one thousand bound copies.

Lost.

The resolution was adopted.

Mr. McGarvey submitted the following:

Resolved, That the President of the Senate appoint a Night Watchman.

Adopted.

The President appointed James Saultry as Watchman under authority of the above resolution.

Mr. McCoppin offered a resolution, as follows:

Resolved, That M. McLaughlin is hereby appointed one of the Porters of the Senate, at a per diem of four dollars, payable out of the appropriation of the Contingent Fund of the Senate.

Adopted.

Mr. Beazell submitted a resolution, as follows:

Resolved, That John Wells be and he is hereby appointed Post-office Page of the Senate, to be paid out of the appropriation for the contingent expenses of the Senate.

Adopted.

Mr. Evans offered the following:

Resolved, That the President of the Senate be and he is hereby empowered to appoint a Page, whose duty it shall be to attend to and be at the desk of the presiding officer. Said Page to receive the same pay for his services as is allowed by law to the other Pages of the Senate, payable out of the appropriation for the contingent expenses of the Senate.

Adopted.

The President appointed Master James L. Patterson as such Page.

Mr. McGarvey offered a resolution, which was amended to read as follows:

Resolved, That the President and each member of the Senate be furnished with fifteen dollars in postage stamps, and five daily newspapers, or their equivalent in weeklies, to be paid for out of the appropriation for the contingent expenses of the Senate.

Mr. Rogers moved to refer the resolution to the Committee on Contingent Expenses, to be appointed.

Lost.

Mr. Goodwin moved to lay the resolution on to the table, on which the ayes and noes were demanded by Mr. Haymond and the requisite number. The roll was called, and the Senate refused by the following vote:

AYES—Messrs. Angney, Curtis, Dean, Donovan, Evans, Flint, Goodwin, Hilborn, Hill, Montgomery, Murphy of Santa Clara, Nunan, Rogers, and Shirley—14.

NOES—Messrs. Beazell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Fowler, Gwin, Haymond, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Murphy of San Francisco, Murphy of San Luis Obispo, Norton, Pierson, Porter, Ream, Satterwhite, Searls, Smith, and Whitney—26.

Mr. Donovan moved to amend by striking out "newspaper."

Lost.

Mr. Hill moved to amend by striking out "fifteen dollars," and inserting "five dollars."

Lost.

On adopting the resolution, the ayes and noes were demanded by Messrs. Rogers, Haymond, and McGarvey, and it was adopted by a vote as follows:

AYES—Messrs. Beazell, Boyston, Brown of El Dorado, Craig, Crane, Curtis, Evans, Fowler, Gwin, Haymond, Hilborn, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Murphy of San Francisco, Murphy of San Luis Obispo, Norton, Nunan, Pierson, Ream, Satterwhite, and Smith—25.

NOES—Messrs. Angney, Brown of Amador, Coleman, Dean, Donovan, Flint, Goodwin, Hill, Montgomery, Murphy of Santa Clara, Porter, Rogers, Searls, Shirley, and Whitney—15.

Mr. Nunan offered a resolution, as follows:

Resolved, That the State Capitol Commissioners be and they are hereby directed to set apart Room No. 47, adjoining the State Library, as a ladies' dressing-room.

Mr. Hill moved to lay the resolution on the table.

Pending the consideration, at one o'clock and forty minutes P. M., on motion of Mr. Fowler, the Senate adjourned until one o'clock P. M. to-morrow.

IN SENATE.

SENATE CHAMBER,
Wednesday, December 5th, 1877. }

Senate met pursuant to adjournment.

President in the chair.

Roll called, and a quorum present.

Journal of yesterday read and approved.

REPORTS.

Mr. Lewis submitted a report, as follows :

MR. PRESIDENT: Your Committee on Standing Rules beg leave to report that they have considered in part the standing rules of the Senate, and recommend the adoption of Rule No. 18 of the rules of the last Senate, with amendments, to read as follows:

RULE NUMBER EIGHTEEN.

The following standing committees shall be appointed:

1. Committee on Agriculture, to consist of five members.
2. Committee on Claims, to consist of three members.
3. Committee on Commerce and Navigation, to consist of five members.
4. Committee on Contingent Expenses, to consist of three members.
5. Committee on Corporations, to consist of seven members.
6. Committee on Counties and County Boundaries, to consist of three members.
7. Committee on Education, to consist of three members.
8. Committee on Engrossed Bills, to consist of five members.
9. Committee on Enrolled Bills, to consist of five members.
10. Committee on Federal Relations, to consist of three members.
11. Committee on Finance, to consist of five members.
12. Committee on Hospitals, to consist of three members.
13. Committee on Internal Improvement, to consist of five members.
14. Committee on Judiciary, to consist of nine members.
15. Committee on Mileage, to consist of three members.
16. Committee on Military Affairs, to consist of three members.
17. Committee on Mines, to consist of five members.
18. Committee on Public Buildings, other than Prison Buildings, to consist of three members.
19. Committee on Public and Swamp and Overflowed Lands, to consist of five members.
20. Committee on Public Morals, to consist of three members.
21. Committee on Public Printing, to consist of three members.
22. Committee on Roads and Highways, to consist of three members.
23. Committee on State Library, to consist of three members.
24. Committee on State Prison and Prison Buildings, to consist of five members.
25. Committee on Irrigation and Water Rights, to consist of seven members.

And as to remainder of said standing rules your committee respectfully ask further time.

E. J. LEWIS,
GEO. S. EVANS,
PIERSON.

On motion of Mr. Hill, the report was amended by adding another committee to the list, to be numbered twenty-six, as follows: Committee on Fisheries and Game, to consist of five members.

Mr. Hilborn offered an amendment, by adding another committee,

to be numbered twenty-seven, as follows: Committee on State and County Revenue, to consist of five members—accepting an amendment offered by Mr. McGarvey, reducing the number to three members.

Mr. Nunan moved to amend by restoring the committee to five members.

Lost.

When the Senate refused to adopt the amendment offered by Mr. Hilborn.

Mr. Haymond offered an amendment as follows: Amend Rule 18 as follows: "A member appointed on the Judiciary Committee shall not be appointed on any other committee."

On which the ayes and noes were demanded by Messrs. McCoppin, Craig, and Lambert, and the amendment was lost by a vote as follows:

AYES—Messrs. Angney, Beazell, Curtis, Dean, Donovan, Flint, Fowler, Haymond, McGarvey, Murphy, of Santa Clara, Porter, and Smith—12.

NOES—Messrs. Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Evans, Goodwin, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Norton, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, and Whitney—27.

Mr. Lambert moved an amendment, as follows:

Amend Rule 18 by inserting: "No lawyer appointed chairman of any committee shall be appointed a member of the Judiciary Committee."

Lost.

Mr. Donovan moved to amend by increasing the Committee on Public Buildings, other than Prison Buildings, from three to five members, on which the ayes and noes were demanded by Messrs. Haymond, Fowler, and Nunan. The vote was taken, resulting as follows:

AYES—Messrs. Beazell, Boyston, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Fowler, Haymond, Howe, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Porter, Rogers, and Smith—20.

NOES—Messrs. Angney, Brown of Amador, Flint, Goodwin, Gwin, Hilborn, Hill, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Norton, Pierson, Ream, Satterwhite, Searls, Shirley, and Whitney—20.

The President voted in the affirmative, and the amendment increasing the committee to five was adopted.

Mr. Howe moved to amend by increasing the Committee on Claims from three to five members, on which the ayes and noes were demanded by Messrs. Howe, Fowler, and Nunan; and the amendment was adopted by the following vote:

AYES—Messrs. Angney, Beazell, Boyston, Brown of Amador, Brown of El Dorado, Craig, Curtis, Dean, Donovan, Flint, Fowler, Haymond, Hill, Howe, McCoppin, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Rogers, Shirley, and Smith—22.

NOES—Messrs. Beazell, Coleman, Crane, Evans, Goodwin, Gwin, Hilborn, Lambert, Lewis, McCarthy, McGarvey, Norton, Pierson, Porter, Ream, Satterwhite, Searls, and Whitney—18.

When the report was adopted as amended.

Mr. Angney submitted the following report:

MR. PRESIDENT: The committee to whom was referred the matter of ascertaining the sums due to the officers of the last Senate for mileage and per diem, rendered in the organization of the present Senate, report as follows:

To Thomas J. Shackelford, Secretary of Senate, for mileage.....	\$12 60
To Thomas J. Shackelford, Secretary of Senate, per diem.....	16 00
	<hr/>
	\$28 60
To Newton Benedict, Minute Clerk of last Senate, for mileage	\$13 65
To James W. Hawkins, Sergeant-at-Arms of last Senate, for mileage.....	\$14 40
To James W. Hawkins, Sergeant-at-Arms of last Senate, per diem.....	16 00
	<hr/>
	\$30 40

And as to Newton Benedict, Minute Clerk, he having been reelected to the same position for the present session, the committee recommend that his per diem date from the commencement of the present session.

W. Z. ANGNEY,
W. C. NORTON,
THOS. FOWLER.

Mr. Beazell offered an amendment: "That E. L. Crawford and T. J. Clark, Assistant Secretaries, and J. B. Sidnor, Assistant Sergeant-at-Arms, be allowed each two days' pay."

Lost.

When the report was adopted.

Hilborn offered the following:

Resolved, That John F. Parsons be appointed Mail Carrier at a per diem of three dollars, to be paid out of the appropriation for contingent expenses of the Senate.

Mr. Craig moved to amend by inserting the name of Austin Fitzgerald in place of Parsons.

Mr. Hill offered a substitute, as follows:

Resolved, That James B. Stevall be and he is hereby appointed Mail Carrier of the Senate at per diem of three dollars, payable out of the appropriation for the contingent expenses of the Senate.

Mr. Rogers moved to refer the whole matter to the Committee on Contingent Expenses to be appointed.

Mr. Murphy, of Santa Clara, moved to lay the whole matter on the table.

Lost.

Mr. Murphy, of Santa Clara, offered a substitute, as follows:

Resolved, That D. S. Gray be and he is hereby appointed Mail Carrier of the Senate, to be paid out of the appropriation for the contingent expenses of the Senate.

On motion of Mr. Lewis the whole matter be made a special order for to-morrow at one o'clock P. M.

Mr. Pierson offered the following concurrent resolution:

Resolved by the Senate, the Assembly concurring, That a Joint Committee of six, three from the Senate and three from the Assembly, be appointed to notify the Governor that the Legislature is now organized and ready to receive any communication he may desire to make to it.

Adopted.

INTRODUCTION OF BILLS.

Bills were introduced, by leave, as follows:

By Mr. Rogers—An Act to establish and maintain free Public Libraries and Reading Rooms.

Read first and second time, and referred to the Committee on Education, when appointed, and ordered printed.

By Mr. McCoppin—An Act to limit and fix the rates of fare on street railroads in cities and towns of more than one hundred thousand inhabitants.

Also, an Act to preserve the name of a street in the City of San Francisco.

By Mr. Howe—An Act to regulate fares and sale of tickets on street railroads in the City and County of San Francisco.

Each of the above bills read first and second time, and referred to the San Francisco delegation.

By Mr. Pierson—An Act to provide for a Convention to frame a new Constitution for the State of California.

Read first and second times, and referred to the Judiciary Committee to be appointed.

Also, an Act to amend section three hundred and seven of the Civil Code in relation to corporations.

Read first and second times, and referred to the Committee on Corporations when appointed.

By Mr. Porter—An Act to amend section three thousand six hundred and seventeen of the Political Code, defining certain terms.

Read first and second times, and referred to the Judiciary Committee when appointed.

By Mr. Craig—An Act for the relief of Otto Kloppenburg.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Murphy, of Santa Clara—An Act to amend section seven hundred and ninety-two of the Political Code, relating to Notaries Public.

Read first and second times, and referred to the Judiciary Committee to be appointed.

By Mr. Haymond—An Act to amend certain sections, and to repeal certain sections, of the Political Code of the State of California, approved March twelfth, eighteen hundred and seventy-two, concerning salaries of the civil executive officers of the State.

Read first and second times, and referred to the Committee on Finance when appointed.

Also, an Act to amend an Act in relation to the government of the County of Sacramento, approved March thirtieth, eighteen hundred and seventy-four.

Read first and second times, and referred to the Sacramento delegation.

Also, an Act to amend section four thousand one hundred and nine of the Political Code.

Read first and second times, and referred to the Judiciary Committee when appointed.

Also, an Act to provide a system of irrigation.

Read first and second times, and referred to the Committee on Irrigation and Water Rights when appointed.

By Mr. Searls—An Act to regulate the salaries and fix the compensation of certain county officers in the County of Nevada.

Read first and second times, and referred to the Nevada delegation.

Mr. Haymond offered the following:

WHEREAS, The policy of permitting the lands of the State to be monopolized in the hands of the few, at the expense of the many, is subversive of the rights of the people, and ruinous to the best interests of the State; therefore, be it

Resolved, That the Judiciary Committee are instructed to consider whether amendments to the Civil Code limiting the right of disposition, by will, to one thousand acres of land, and modifying the rule of successions and distributions, so as to provide that all lands in excess of one thousand acres, held by any one person, at the time of his death, shall, after such death, pass to the State, would be constitutional, and, if so, to report to the Senate a bill to that effect.

On motion of Mr. Lambert, the same was amended by adding the words "and advisable" after constitutional.

Other amendments were proposed by Mr. Lambert and Mr. Murphy, of Santa Clara, which were subsequently withdrawn by general consent.

Mr. Lewis moved to amend by having the words "lands of the State" changed to read: "State lands," on which the ayes and noes were demanded by Messrs. Haymond, Lewis, and Hilborn, and the motion prevailed by a vote, as follows:

AYES—Messrs. Angney, Beazell, Boyston, Brown of Amador, Coleman, Craig, Curtis, Fowler, Gwin, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Ream, Searls, Shirley, and Whitney—26.

NAYS—Messrs. Brown of El Dorado, Crane, Dean, Donovan, Evans, Flint, Goodwin, Haymond, Hilborn, Norton, Porter, Rogers, and Smith—13.

After amendments offered by Mr. McCoppin and Mr. Lewis, in reference to striking out the resolution, Mr. Evans moved to lay the whole matter on the table.

On which the ayes and noes were demanded by Messrs. Evans, McCoppin, and Haymond.

And the Senate refused by a vote as follows:

AYES—Messrs. Brown of Amador, Brown of El Dorado, Craig, Dean, Evans, Flint, Fowler, Porter, and Whitney—9.

NOES—Messrs. Angney, Beazell, Boyston, Coleman, Crane, Curtis, Donovan, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Pierson, Ream, Rogers, Searls, Shirley, and Smith—30.

Mr. Lewis moved to amend by striking out "Therefore, be it resolved."

Agreed to.

On motion of Mr. Pierson, the words "Resolved that" were substituted for the word "Whereas."

On motion of Mr. Curtis, the preamble was adopted as amended.

Mr. Evans moved to strike out the latter part of the resolution, on which the ayes and noes were demanded by the requisite number, and the motion prevailed by the following vote:

AYES—Messrs. Angney, Beazell, Brown, of Amador, Brown of El Dorado, Craig, Crane, Curtis, Dean, Fowler, Gwin, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Ream, Shirley, Smith, and Whitney—26.

NOES—Messrs. Boyston, Coleman, Donovan, Evans, Flint, Goodwin, Haymond, Hilborn, Murphy of San Francisco, Norton, Porter, Rogers, and Searls—13.

The resolution, now reading as follows, was adopted:

Resolved, That the policy of permitting the State lands to be monopolized in the hands of the few, at the expense of the many, is subversive of the rights of the people, and ruinous to the best interests of the State.

The President appointed Messrs. Pierson, McCoppin, and Porter the committee on the part of the Senate to wait upon the Governor and inform him of the organization of the Legislature.

ASSEMBLY MESSAGES.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, December 5th, 1877. }

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly is now ready for business, having completed its organization by the election of the following officers:

Hon. C. P. Berry, Speaker; Hon. J. E. Murphy, Speaker pro tem; R. C. Page, Chief Clerk; W. M. Ord, Assistant Clerk; E. L. Crawford, Assistant Clerk; J. M. Farrelley, Sergeant-at-Arms; P. J. Walsh, Assistant Sergeant-at-Arms; A. J. Dobbins, Minute Clerk; J. G. Underwood, Journal Clerk; J. C. Morgan, Enrolling Clerk; E. J. Haight, Engrossing Clerk; Frank Morse, Postmaster.

CHARLES W. O'NEILL,
Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, December 5th, 1877. }

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly this day adopted Assembly Concurrent Resolution No. 1, relative to informing the Governor of the organization of the Legislature.

CRAWFORD, Assistant Clerk.

At four o'clock and twelve minutes p. m., on motion of Mr. McCarthy, the Senate adjourned until one o'clock p. m. to-morrow.

IN SENATE.

SENATE CHAMBER,
Thursday, December 6th, 1877. }

Senate met pursuant to adjournment.

President in the chair.

Roll called, and a quorum present.

Journal of yesterday read and approved.

Special order for one o'clock p. m.: Resolutions in relation to the appointment of Mail Carrier of the Senate.

Mr. Craig offered the following as an amendment and substitute for the whole matter:

Resolved, That the Senate now proceed to vote by a call of the roll for a Mail Carrier, said Mail Carrier to receive, when elected, a per diem of three dollars, to be paid out of the Contingent Fund of the Senate.

Adopted.

MAIL CARRIER.

Mr. Craig nominated Austin Fitzgerald.

Mr. Murphy, of Santa Clara, nominated D. S. Gray.

Mr. Hilborn nominated John F. Parsons.

Mr. Pierson nominated James B. Stovall.

Mr. Ream nominated Eddie Luttrell.
 Mr. McCarthy nominated John Mahoney.
 The roll was called, resulting as follows:

Whole number of votes cast.....	35
Necessary to a choice.....	18
Fitzgerald received.....	6
Gray received.....	14
Parsons received.....	4
Stovall received.....	9
Luttrell received.....	5
Mahoney received.....	1

There being no election, the roll was again called, resulting as follows:

For Fitzgerald—Messrs. Boyston, Brown of El Dorado, Craig, Fowler, Norton, Nunan, and Smith.

For Gray—Messrs. Beazell, Brown of Amador, Coleman, Crane, Dean, Evans, Flint, Goodwin, Gwin, Hilborn, Lewis, Satterwhite, Searls, Shirley, and Whitney.

For Stovall—Messrs. Angney, Donovan, Howe, Lambert, McCoppin, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Pierson, Porter, and Rogers.

For Parsons—Messrs. Curtis and Haymond.

For Luttrell—Mr. Ream.

For Mahoney—Messrs. McCarthy and Murphy of San Luis Obispo.

Whole number of votes cast.....	35
Necessary to a choice.....	18
Fitzgerald received.....	7
Gray received.....	15
Stovall received.....	11
Parsons received.....	2
Luttrell received.....	1
Mahoney received.....	1

No election.

Mr. Ream withdrew the name of Eddie Luttrell, when the roll was again called, resulting as follows:

For Fitzgerald—Messrs. Brown of El Dorado, Craig, Fowler, Norton, Ream, and Smith.

For Gray—Messrs. Beazell, Brown of Amador, Coleman, Crane, Dean, Evans, Flint, Goodwin, Gwin, Hilborn, Lewis, Murphy of San Luis Obispo, Murphy of Santa Clara, Porter, Satterwhite, Searls, Shirley, and Whitney.

For Parsons—Messrs. Curtis and Haymond.

For Stovall—Messrs. Angney, Boyston, Donovan, Howe, Lambert, McCarthy, McCoppin, Montgomery, Murphy of San Francisco, Nunan, Pierson, and Rogers.

Whole number of votes cast.....	38
Necessary to a choice.....	20
Fitzgerald received.....	6
Gray received.....	18
Parsons received.....	2
Stovall received.....	12

No election.

On motion of Mr. Pierson, the two candidates receiving the lowest number of votes were dropped.

The roll was again called, resulting as follows:

For Gray—Messrs. Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Evans, Flint, Goodwin, Gwin, Hilborn, Lewis, McCarthy, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Porter, Ream, Satterwhite, Searls, Shirley, and Whitney.

For Stovall—Messrs. Angney, Beazell, Boyston, Donovan, Fowler, Haymond, Howe, Lambert, McCoppin, Montgomery, Murphy of San Francisco, Nunan, Pierson, Rogers, and Smith.

Whole number of votes cast.....	38
Necessary to a choice.....	20
Gray received.....	23
Stovall received.....	15

Mr. Gray having received a majority of all the votes cast was declared elected Mail Carrier of the Senate.

Mr. Shirley offered the following resolution :

Resolved, That the Journal Clerk of the Senate be authorized to employ one assistant when it becomes necessary ; said assistant to receive the same per diem as the Journal Clerk, payable out of the appropriation for the contingent expenses of the Senate.

Mr. Shirley moved to suspend the rules to consider the resolution without reference.

Lost.

On motion of Mr. Satterwhite, the resolution was referred to the Committee on Contingent Expenses to be appointed.

Mr. Pierson, for the Committee appointed to wait upon the Governor, reported that the Committee had performed the duty assigned them, and was informed by his Excellency, the Governor, that he was now ready to transmit to the Legislature his Biennial Message with accompanying documents.

The President announced the appointment of Samuel Marks and Hiram Clock as Porters, and Hank Jones as Rear Porter.

The President requested the attachés elected and appointed to come forward and take the oath.

Mr. Fowler moved to dispense with administering the oath to the Pages and Porters.

Agreed to.

Michael Mitchell, Engrossing Clerk, and Andrew L. Edwards, Jr., Postmaster, came forward and took the oath, administered by Judge T. B. Reardon.

The President presented the following communication from the Secretary of State :

STATE OF CALIFORNIA, DEPARTMENT OF STATE,
SACRAMENTO, December 5th, 1877. }

To the Hon. James A. Johnson, President of the Senate:

SIR : I am in receipt of a copy of the resolution of the Honorable Senate, adopted yesterday, requesting me "to place on the desk of each Senator the Codes and the Statutes continued in force," but that it is impossible for me to comply with the resolution, from the fact that I have but twenty-three full sets of the Codes on hand. I have several hundred copies each of the Political Code, Code of Civil Procedure, Statutes continued in force, and Amendments to the Codes, but only twenty-three copies of the Civil Code, and about the same number of the Penal. Bancroft & Co., of San Francisco, have published a work, in two volumes, containing all the Codes now in force, including all amendments up to the present time. It is much more convenient for use than the copies furnished by the State. They can be had for fifteen dollars per set, provided a sufficient number are purchased to supply both Houses of the Legislature, and I would suggest that I be authorized to purchase them.

Respectfully,

THOS. BECK,
Secretary of State.

Mr. Pierson moved to suspend the rules to authorize the Secretary of State to make the purchase of Bancroft & Co. of the volumes above referred to, to the extent of forty-five copies, at fifteen dollars per set, payable out of the appropriation for the contingent expenses of the Senate.

Agreed to, and the motion prevailed.

ASSEMBLY MESSAGE.

The following message was received from the Assembly :

ASSEMBLY CHAMBER,
SACRAMENTO, December 6th, 1877. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly this day concurred in Senate Concurrent Resolution No. 1, relative to informing the Governor of the organization of the Legislature, and under that resolution the Speaker appointed Messrs. Upton, Tuttle, and May, as committee on part of Assembly.

E. L. CRAWFORD,
Assistant Secretary.

INTRODUCTION OF BILLS.

Bills were introduced, by leave, as follows:

By Mr. Lewis—An Act to amend sections two hundred and forty-five, two hundred and forty-six, two hundred and forty-eight, and two hundred and forty-nine of the Political Code.

Read first and second times.

Mr. Lewis moved to suspend the rules to place the bill on its third reading and passage.

Lost.

Mr. Donovan moved to postpone further action on the bill until the twentieth of March next.

Lost.

Mr. Lewis moved to refer the bill to the Committee on Education, when appointed, on which the ayes and noes were demanded by Messrs. McCoppin, Nunan, and Craig, and the Senate refused by a vote, as follows:

AYES—Messrs. Beazell, Brown of Amador, Brown of El Dorado, Crane, Dean, Evans, Flint, Goodwin, Lewis, McCarthy, Murphy of San Luis Obispo, Norton, Nunan, Pierson, Shirley, and Smith—16.

NOES—Messrs. Angney, Coleman, Craig, Curtis, Donovan, Fowler, Gwin, Haymond, Howe, Lambert, McCoppin, Montgomery, Murphy of Santa Clara, Porter, Ream, Rogers, Searls, and Whitney—18.

On motion of Mr. Lewis, the bill was referred to the Committee on Contingent Expenses when appointed.

By Mr. Searls—An Act to amend section five hundred and ninety-six of the Civil Code.

Read first and second times, and referred to Judiciary Committee when appointed.

By Mr. Rogers—An Act to ascertain and express the will of the people of the State of California upon the subject of Chinese immigration.

Read first and second times, and referred to Special Committee on Chinese Immigration appointed at last session.

By Mr. Pierson—An Act to repeal sections six hundred and thirty-two, six hundred and thirty-three, and six hundred and thirty-four of the Code of Civil Procedure.

Read first and second times, and referred to Judiciary Committee when appointed.

By Mr. Haymond—An Act to amend section three thousand six hundred and seventeen of the Political Code.

Read first and second times, and referred to Committee on Agriculture when appointed.

Also, an Act to amend section five hundred and seventy-four of the Civil Code.

Read first and second times, and referred to the Committee on Corporations when appointed.

Also, an Act to authorize the Board of Supervisors of Sacramento County to acquire certain toll bridges, or to construct free bridges thereof.

Read first and second times, and referred to Sacramento delegation.

MOTIONS AND RESOLUTIONS.

Resolved, That the Sergeant-at-Arms of the Senate be and he is hereby authorized to appoint a clerk, to receive the same pay as the clerks at the desk are allowed by law, to be paid out of the appropriation for the contingent expenses of the Senate.

Adopted.

By Mr. Lewis:

Resolved, That the standing committees of the Senate shall not be increased in numbers unless upon the unanimous consent of the Senate.

On motion of Mr. Fowler, the resolution was laid on the table.

By Mr. Angney:

Resolved, That the sum of twenty-eight dollars and sixty cents be paid to Thomas Shackelford, late Secretary of the Senate; the sum of thirteen dollars and sixty-five cents be paid to Newton Benedict, Minute Clerk, and the sum of thirty dollars and forty cents be paid to James W. Hawkins, late Sergeant-at-Arms, for assisting in the organization of the present session of the Senate, and that the same be paid out of the Contingent Fund of the Senate.

Adopted.

By Mr. Lambert:

Resolved, That E. F. Boyle be and he is hereby appointed Committee Room Porter at per diem of four dollars, payable out of the contingent expenses of the Senate.

Lost.

Mr. Haymond offered a resolution in reference to furnishing reporters with stationery and Codes, accepting the following amendment by Mr. Lewis:

Resolved, That the Secretary of State be and he is hereby directed to furnish to each reporter for a daily newspaper, having a desk upon this floor, stationery to the value of fifteen dollars.

Mr. Fowler moved to refer the resolution to the Committee on Education when appointed.

Lost.

On adopting the resolution the ayes and noes were demanded by Messrs. Lewis, Howe, and Haymond, and it was adopted by a vote as follows:

AYES—Messrs. Beazell, Boyston, Brown of El Dorado, Craig, Crane, Curtis, Dean, Evans, Fowler, Gwin, Haymond, Hilborn, Lewis, McCarthy, McCoppin, Murphy of San Francisco, Murphy of Santa Clara, Norton, Nunan, Pierson, and Ream—21.

NOES—Messrs. Angney, Brown of Amador, Coleman, Donovan, Flint, Goodwin, Howe, Lambert, Montgomery, Rogers, Searls, Shirley, Smith, and Whitney—14.

At three o'clock p. m. Mr. Pierson moved to adjourn.

Mr. Goodwin moved to amend by fixing the hour at twelve o'clock m., to-morrow, when the Senate voted to adjourn to that day and hour.

IN SENATE.

SENATE CHAMBER,
Friday, December 7th, 1877. }

Senate met pursuant to adjournment.

President in the chair.

Roll called, and a quorum present.

Journal of yesterday read and approved.

Mr. Brown, of Amador and San Joaquin, was granted indefinite leave of absence, and Mr. Montgomery for two days.

INTRODUCTION OF BILLS.

Bills were introduced, as follows:

By Mr. Nunan—An Act to add a new section to the Political Code.

Read first and second times, and referred to the Judiciary Committee when appointed.

Also, an Act to create and establish a Board of Public Works for the City and County of San Francisco, and to abolish the offices of City and County Surveyor and Superintendent of Public Streets and Highways and Squares.

Read first and second times, and referred to the San Francisco delegation, and ordered printed.

By Mr. Porter—An Act giving control of the bridge across the estuary of San Antonio, in the County of Alameda, to the Supervisors of said county.

Read first and second times.

Rules suspended, considered engrossed, and by unanimous consent placed on its third reading and passage.

Read third time, and passed.

Rules further suspended, and the bill ordered to the Assembly forthwith, without engrossment.

By Mr. Haymond—An Act to add three sections to the Civil Code, to be known as sections four hundred and four, four hundred and five, and four hundred and six, and to repeal an Act in relation to foreign corporations, approved April first, eighteen hundred and seventy-two.

Also, an Act to amend section two hundred and ninety-nine of the Civil Code.

Each of the above bills read first and second times, and referred to the Committee on Corporations when appointed.

Also, an Act in relation to the State burying ground.

Read first and second times, and referred to the Committee on Internal Improvements when appointed.

MOTIONS AND RESOLUTIONS.

Resolutions were offered, as follows:

By Mr. Angney:

Resolved. That the Sergeant-at-Arms of the Senate, or his clerk, is hereby instructed and authorized to receipt to the Controller of State for all warrants due to the members, officers, and attachés of the Senate for per diem and mileage during the session.

Adopted.

By Mr. Hilborn :

Resolved by the Senate, the Assembly concurring, That five thousand copies of the Governor's message be printed.

Adopted.

By Mr. Goodwin :

Resolved, That the Enrolling Clerk be and he is hereby authorized to employ copyists to copy all bills and other matters ordered printed, at the price of ten cents per folio, to be paid out of the appropriation for the Contingent Fund of the Senate.

On motion of Mr. Lewis, the resolution was referred to the Committee on Contingent Expenses.

By Mr. McCoppin :

Resolved by the Senate, the Assembly concurring, That the Joint Committee on Printing are instructed to inquire and report whether five hundred copies of the Report of the Transportation Commissioners, now in the hands of the State Printer, ought to be bound, and if so, the cost of binding.

Adopted.

By Mr. Satterwhite :

Resolved, That the Sergeant-at-Arms be instructed to allow no smoking in this Chamber at any time.

Adopted.

By Mr. Haymond :

Resolved, That the Building Committee be instructed to inquire and report to the Senate what is necessary to secure better ventilation in the Senate Chamber.

Adopted.

Also :

Resolved, That the Secretary of State is authorized to transmit to the Masonic Library of Salt Lake one copy of the report of the State Geologist, one bound copy of the report of the Senate Committee on Chinese Immigration, and one copy of the report of the Transportation Commissioners.

Adopted.

By Mr. Beazell :

Resolved, That the Sergeant-at-Arms be allowed to appoint two committee-room porters, at a salary of four dollars.

On motion of Mr. Rogers, the resolution was laid on the table.

ADJOURNMENT.

Mr. Rogers moved that when the Senate adjourn to-day, it adjourn to meet again on Monday next, at three o'clock P. M.

Agreed to.

At twelve o'clock and fifty minutes P. M. Mr. McCarthy moved to adjourn.

Carried.

When the President announced that the Senate had adjourned until Monday, the tenth instant, at three o'clock P. M.

IN SENATE.

SENATE CHAMBER,
Monday, December 10th, 1877. }

Senate met pursuant to adjournment.

President in the chair.

Roll called, and a quorum present.

Journal of Friday last read and approved.

Messrs. Searls, Murphy of San Francisco, Hilbron, and Montgomery were granted leave of absence for one day each.

REPORT OF COMMITTEE.

Mr. Lewis, for the Special Committee on Rules, submitted the following report:

STANDING RULES OF THE SENATE.

1.

Opening of the Daily Sessions.

The time of meeting of the Senate shall be eleven o'clock A. M. (Sundays excepted), and in case any other is named, it shall be applicable only to one day, and shall not affect this rule beyond the day named for a different hour of meeting.

2.

Calling to Order—Reading Journal.

The President shall call the Senate to order at the stated hour, and if a quorum be present, he shall order read the Journal of the proceedings of the preceding day.

3.

Election of a President pro tem.—His Powers and Privileges.

A President pro tem. shall be elected, who shall, in the absence of the President, take the Chair and call the Senate to order at the hour of the meetings of the Senate, and have the same power as the President; but the President pro tem. shall vote only as any other member of the Senate. When the Senate is equally divided, the Secretary shall take the decision of the President.

4.

Attendance, Duties, and Obligations of Senators.

No member shall absent himself from the service of the Senate without leave first obtained. A less number than a quorum of the Senate are hereby authorized to send the Sergeant-at-Arms, or any other person, for any or all absent members, as the majority of such members present shall agree, at the expense of such absent members respectively, unless such excuse for non-attendance shall be made as the Senate, when a quorum is convened, shall judge sufficient, and in that case the expense shall be paid out of the Contingent Fund; and this rule shall apply as well to the first convention of the Senate, at the legal time of meeting, as to each day of the session after the hour has arrived to which the Senate stood adjourned. The President or acting President of the Senate or of less than a quorum thereof shall have the power to issue process, directed to the Sergeant-at-Arms, or any other person, to compel the attendance of members absent without leave. Any Senator who shall refuse to obey such process, unless sick and unable to attend, shall be deemed guilty of a contempt of the Senate, and the Sergeant-at-Arms, or other person to whom such process may be directed, shall have power to use such force as may be necessary to compel the attendance of such absent member, and for this purpose he may command the force of the county or of any county in the State.

5.

Order of Business.

After the reading and approving of the Journal the order of business shall be as follows:

1. Presentation of Petitions.
2. Reports of Standing Committees.
3. Reports of Select Committees.
4. Messages from the Governor.
5. Messages from the Assembly.

6. Second Reading and Commitment of Bills.
7. Introduction and First Reading of Bills.
8. Motions, Resolutions, and Notices.
9. Business on the General File and Third Reading of Bills.
10. Unfinished Business of the preceding day.
11. Special Orders of the day.

12. Reports from the Committees on Enrollment and on Engrossment shall at all times be in order.

Provided, that messages from the Governor, State officers, and from the Assembly, may, on motion of any Senator, be considered at any time.

6.

The General File; its hours—Special Order of Bills on File.

The General File shall be the special order for each day from twelve o'clock until two p. m., unless sooner disposed of; but no bill shall lose its place upon the file by expiration of the time or by adjournment of the Senate while it is under consideration; and this order shall take precedence of all others.

7.

Secretary to post General File daily.

The Secretary shall post, each morning, in a conspicuous place, a list of all bills upon the General File, giving their order, and also setting forth their number, and so much of their title as necessary to enable Senators to understand their general purport.

8.

Priority of Business.

All questions relating to the priority of business shall be decided without debate.

9.

Bills Lie Over One Day on Objection.

If objection be made to the introduction of a bill, except on report of a committee, or on previous notice, it shall lie over one day, unless the Senate, by a two-thirds vote, direct otherwise.

10.

Readings of Bills.

Every bill shall receive three readings previous to its being passed. The President shall give notice at each, whether it be the first, second, or third, which reading shall be on different days, unless the Senate, by a two-thirds vote, direct otherwise: *provided*, that upon the first reading of a bill, if no objection be made, it may, without delay, be read a second time by title, and be committed or placed on the General File. No bill shall be amended or committed until twice read.

11.

Second Reading of Bills as in Committee of the Whole.

All bills, on a second reading, shall be considered by the Senate in the same manner as if the Senate was in Committee of the Whole, before they shall be taken up and proceeded on by the Senate agreeably to the Standing Rules, unless otherwise ordered.

12.

After Engrossment, Bills to be Carefully Read and Reported.

All bills, amendments, and resolutions, after being engrossed, in pursuance of the order of the Senate, shall be carefully examined and reported back by the Committee on Engrossed Bills, and when, by order of the Senate, any Senate bill shall have been considered, engrossed, and passed, it shall be the duty of said committee to cause the same to be correctly engrossed and reported to the Senate; the engrossed copy to be transmitted to the Assembly, with the proper indorsements, and the original retained by the Senate.

13.

After the Second Reading, Bills to go on File—Precedence of Engrossed Bills.

All bills, after the second reading (if the same be not committed, but if committed, then upon being reported), shall be placed upon a General File, and shall be taken up for consideration and passage in the order of their being placed on file; *provided*, that engrossed bills shall take precedence of bills not engrossed.

14.

Amendments and Substitutes.

Substitutes may be offered at any time when a bill or resolution is open to amendment, previous to engrossment, and when adopted shall take the place of the original bill or resolution, and shall be open to amendment.

Amendments and Substitutes must be German.

No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment or substitute.

Least Sum and Shortest Time in Filling Blanks.

In filling up blanks, the least sum or number and the shortest time shall be put first.

Short of Final Question, Two-thirds Vote not Requisite on Propositions to Amend Constitution.

When an amendment to the Constitution, or any bill, requiring the concurrence of two-thirds of the Senators, is under consideration, the concurrence of two-thirds shall not be required to decide any question for amendments, or extending to the merits, being short of the final question.

Appointment and Order of Standing Committees.

The following standing committees shall be appointed :

1. Committee on Agriculture, to consist of five members.
2. Committee on Claims, to consist of five members.
3. Committee on Commerce and Navigation, to consist of five members.
4. Committee on Contingent Expenses, to consist of three members.
5. Committee on Corporations, to consist of seven members.
6. Committee on Counties and County Boundaries, to consist of three members.
7. Committee on Education, to consist of five members.
8. Committee on Engrossed Bills, to consist of five members.
9. Committee on Enrolled Bills, to consist of five members.
10. Committee on Federal Relations, to consist of five members.
11. Committee on Finance, to consist of five members.
12. Committee on Hospitals, to consist of three members.
13. Committee on Internal Improvement, to consist of five members.
14. Committee on Judiciary, to consist of nine members.
15. Committee on Mileage, to consist of three members.
16. Committee on Military Affairs, to consist of three members.
17. Committee on Mines, to consist of five members.
18. Committee on Public Buildings, other than Prison Buildings, to consist of five members.
19. Committee on Public and Swamp and Overflowed Lands, to consist of five members.
20. Committee on Public Morals, to consist of three members.
21. Committee on Public Printing, to consist of three members.
22. Committee on Roads and Highways, to consist of three members.
23. Committee on State Library, to consist of three members.
24. Committee on State Prison and Prison Buildings, to consist of seven members.
25. Committee on Irrigation and Water Rights, to consist of seven members.
26. Committee on Fisheries and Game, to consist of five members.

Committees appointed by President, unless otherwise ordered.

All committees of the Senate, Special and Standing, and all Joint Committees on the part thereof, shall be appointed by the President, unless otherwise specially ordered.

Committees to obtain consent of Senate for Officers.

No committee, Standing or Special, shall elect a Clerk or Sergeant-at-Arms without first obtaining the consent of the Senate.

Order of Questions on motion to Refer.

When a resolution shall be offered or a motion made to refer any subject, and a different committee shall be proposed, the question shall be taken in the following order :

1. The Committee of the Whole Senate.
2. A Standing Committee.
3. A Select Committee.

Claims on Contingent Fund must go to Committee on Contingent Expenses.

No claim shall be paid out of the Contingent Fund of the Senate until the same shall have been referred to and reported on by the Committee on Contingent Expenses. This rule has no application to the election of attachés of the Senate.

Order of Privileged Questions under Debate.

When a question is under debate, no motion shall be received but the following privileged questions, which shall have precedence in the following order:

1. To adjourn.
2. For a call of the Senate.
3. To lay on the table.
4. To postpone to a day certain.
5. To commit.
6. To amend.
7. To postpone indefinitely.

Motion not to be Debated until Seconded and Announced.

No motion shall be debated until the same be seconded and distinctly announced by the President; and it shall be reduced to writing, if desired by the President or any member, and read by the Secretary before the same shall be debated. A motion may be withdrawn at any time before amendment.

Reading of a Paper, if objected to, determined without Debate.

When the reading of a paper is called for (except petitions), and the same is objected to by any member, it shall be determined by a vote of the Senate, without debate. But this rule is not applicable to any bill, resolution, amendment, or other proposition which may be at the time directly under consideration.

Senators must Address the President.

Every Senator, when he speaks, shall, standing in his place, address the President, and when he has finished he shall sit down. No member shall speak more than twice in any one debate on the same day and at the same stage of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation), to the exclusion of another who has not spoken.

The Senator entitled to Floor.

When two or more members rise at once, the President shall name the member who is to speak first.

Senator, when called to Order, must sit down.

When a member shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any member. If the member be called to order for words spoken, the exceptional language shall immediately be taken down in writing.

Final Question on Second Reading of Bills — No Amendment on Third Reading, but may Commit.

The final question upon the second reading of every bill originating in the Senate, and requiring three readings previous to being passed, shall be: "Shall the bill be engrossed and read a third time?" And no amendment shall be received for discussion at the third reading of any bill, but it shall at all times be in order, before the final passage of any such bill, to move its commitment under special instructions.

Form of Previous Question — Call of Senate.

The previous question shall be in this form: "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the Senators present upon division, and its effect shall be to put an end to all debate and bring the Senate to a direct vote upon amendments reported by a committee, if any, upon pending amendments, and then upon the main question. On a motion for the previous question, and prior to the seconding of the same, a call of the Senate shall be in order; but after a majority of Senators shall have seconded such motion, no call shall be in order prior to the decision of the main question.

Under action upon Previous Question, no Debate.

On a motion for the previous question, and under the previous question, there shall be no debate. And all incidental questions of order, arising after a motion is made for the previous question (or while acting under the previous question), shall be decided, whether on appeal or otherwise, without debate.

Ayes and Noes — Members must Answer — No Vote after announcement of Vote.

When the ayes and noes shall be called for by three members present, every member within the bar of the Senate at the time the question was put, shall declare openly, and without debate, his assent or dissent to the question. In taking the ayes and noes, and upon the call of the Senate, the names of the members shall be taken alphabetically. When the ayes and noes shall be taken upon any question in pursuance of this rule, no member shall be permitted, under any circumstances whatever, to vote after the decision is announced from the Chair.

Senator outside of Bar, not entitled to Vote.

When any member is absent without the bar of the Senate when his name is called on the call of ayes and noes on any vote about to be taken, his vote shall not be received unless unanimously agreed to by the members present; nor shall a member be counted, on a division of a vote, who is absent without the bar of the Senate without leave.

Reconsideration of Vote.

When a question has been once put and decided, it shall be in order for any member voting in the majority to move for the reconsideration thereof, and such motion shall take precedence of all other questions, except a motion to adjourn; but no motion for a reconsideration of any vote shall be in order after the bill, resolution, message, report, amendment or motion, upon which the vote was taken, shall have gone out of the possession of the Senate; nor after the usual message shall have been sent from the Senate, announcing its decision; nor shall any motion for a reconsideration of a vote, making a final disposition of any bill or resolution, be made on the day on which the same was taken; nor shall any question be reconsidered more than once.

Notice and Time of Motion to Reconsider.

No motion to reconsider shall be entertained at a later period than the next day of the actual session of the Senate after the vote to be reconsidered has been taken; nor then, unless notice of intention to move a reconsideration shall have been given by some Senator on the same day when such vote was taken; but when any vote shall be reconsidered, the Senate may at the same time proceed to reconsider any previous vote or order in relation to the same bill or resolution without further notice. No notice of intention to move a reconsideration shall be given on the day next preceding the last day of the session.

Secretary, upon Notice of Reconsideration, not to Report Bill to Assembly.

If a Senator gives notice that he intends to move a reconsideration, the Secretary shall not report the bill or resolution to the Assembly till the reconsideration is disposed of, or the time for moving the same has expired.

Titles of Bills must be in Journal.

The titles of bills, and such parts thereof only as shall be affected by proposed amendments, shall be inserted in the Journal.

When not in Committee of Whole, Proceedings must be entered in Journal—Votes always entered.

The proceedings of the Senate when not acting as Committee of the Whole, shall be entered on the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings; but every vote of the Senate shall be entered on the Journal, and a brief statement of the contents of each petition, memorial or paper presented to the Senate shall also be inserted in the Journal.

Rules in Senate and Committee of the Whole.

The rules of the Senate shall be observed in Committee of the Whole, so far as may be applicable, except limiting the number of times of speaking, and except that the ayes and noes shall not be taken.

Cases not Provided for, Cushing to Govern.

In all cases not provided for by these rules, the Senate shall be governed by the law and practice as laid down in Cushing's Law and Practice of Legislative Assemblies.

41.

Two-thirds vote to Suspend Rules.

No rule shall be suspended without the concurrence of two-thirds of the members present, and no additional rule or amendment of a rule shall be made without giving at least one day's notice and the concurrence of two-thirds of the members present; *provided*, that no rule requiring unanimous consent shall be suspended by operation of this rule.

42.

Powers and Prerogatives of President.

The rooms, passages and buildings set apart for the use of the Senate shall be under the control and direction of the President of the Senate, and he shall have the control and direction of the journals, papers, bills, etc., of the Senate; he shall see that all officers of the Senate perform their respective duties, and may assign places to reporters.

43.

President may order Lobbies Cleared.

In case of a disturbance or disorderly conduct in the lobbies, the President (or Chairman of the Committee of the Whole Senate), shall have power to order the same to be cleared.

44.

President may call Senators to the Chair.

The President shall have the right to name any member to perform the duties of the Chair, who is hereby vested, during such time, with all the powers of the President; but such substitute shall not lose the right of voting on any question while so presiding.

45.

Sergeant-at-Arms.

A Sergeant-at-Arms shall be elected, to hold his office during the pleasure of the Senate, whose duty it shall be to attend the Senate during its sittings, to execute the commands of the Senate from time to time, together with all such process issued by authority thereof, as shall be directed to him by the President. The actual expenses of the Sergeant-at-Arms for every arrest, for each day's custody and release, and for traveling expenses for himself and special messenger going and returning, shall be paid out of the Contingent Fund, and no other fees shall be paid him beyond his per diem. It shall be the duty of the Sergeant-at-Arms to keep the accounts for pay and mileage of members, to prepare checks, and, if required so to do, draw the money on such checks for the members (the same being previously signed by the President, and indorsed by the member or person to whom the check is made), and pay over the same to the member or person entitled thereto.

46.

Messengers—When Introduced.

Messengers are introduced in any state of business, except while a question is being put while the ayes and noes are calling, or while the ballots are counting.

47.

Doorkeeper.

It shall be the duty of the Doorkeeper to prohibit all persons except Senators, members of the Assembly, officers of the two Houses, and such reporters as have seats assigned them by the President, from coming within the bar of the Senate, unless invited by the Senate, through the President, and to arrest for contempt all persons outside the bar or in the gallery, found engaged in loud conversation, or otherwise making a noise, to the disturbance of the Senate.

48.

Executive Nominations.

When nominations shall be sent by the Governor to the Senate for their confirmation, the same shall be, unless the Senate shall by a majority vote otherwise direct, acted upon at once.

49.

Printing.

Two hundred and forty copies of all bills of a general nature shall be printed. No local or special bills, or other matter, shall be printed without first being specially ordered by the Senate; and the Sergeant-at-Arms shall be required to certify to the reception, by the Senate, of all such printed matter, and the quantity, before payment shall be made or bills audited therefor.

Number of Copies to be Printed.

Two hundred and forty (240) copies shall be printed of each document or other matter ordered, unless the Senate specially direct a different number.

Secret Session.

On a motion, made and seconded, to close the doors of the Senate on the discussion of any business which may in the opinion of the Senate require secrecy, the President shall require all persons except the members, Secretaries, Sergeant-at-Arms, and Doorkeeper of the Senate, to withdraw, and during the discussion of said motion the doors shall remain closed; and every member and officer of the Senate shall keep secret all such matters, proceedings, and things, whereof secrecy shall be enjoined by order of the Senate.

Bills not Printed, but Reported upon Favorably, must go to a Standing Committee.

All bills which shall not have been printed, which are reported upon favorably by a delegation, shall be referred to a Standing Committee before being passed by the Senate.

Order of Engrossing and Enrolling Bills.

All bills ordered engrossed shall be delivered to the Engrossing Clerk by the Secretary of the Senate, and the receipt, in writing, of the Engrossing Clerk taken therefor; and all said bills shall be engrossed in the order of their receipt by said Engrossing Clerk; and all Senate bills shall, after their final passage by, and receipt from, the Assembly, be delivered to the Enrolling Clerk by the Secretary of the Senate in the order of their receipt from the Assembly, and the receipt, in writing, of said Enrolling Clerk taken therefor; and said bills shall be enrolled by the Enrolling Clerk in the order of their receipt from the Secretary of the Senate.

Printing the Daily Journals.

The Superintendent of State Printing shall print a sufficient number of copies of the Journal of every day's proceedings of the Senate, to supply Senators, daily, during the session, with the Journal of the previous day's proceedings; and, also, a sufficient number of copies, with proper re-paging, to bind, at the end of the session of the Legislature, in book form, as the Journal of the Senate, required by law.

The rules were adopted.

Mr. Rogers offered the following:

Resolved, That the committees of the Senate shall consist of the same number of members that they did at the last session of the Legislature, except the Judiciary Committee, which shall consist of seven members.

Laid over one day under the rule.

INTRODUCTION OF BILLS.

Bills were introduced, by leave, as follows:

By Mr. Lewis—An Act to amend sections one thousand two hundred and twenty-nine and one thousand two hundred and thirty of the Political Code.

By Mr. Goodwin—An Act to repeal section six hundred and eighty-seven of the Penal Code.

By Mr. Porter—An Act to amend section three hundred and eighty-nine of the Code of Civil Procedure.

Each of the above bills read first and second times, and referred to the Judiciary Committee.

By Mr. McGarvey—An Act to amend section one thousand five hundred and seventy-six of the Political Code.

Read first and second times, and referred to the Committee on Education.

Also, an Act to amend section six hundred and sixty-three of the Code of Civil Procedure.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Norton—An Act to repeal an Act entitled an Act to fix the salary of the County Recorder of the County of Placer, approved March twenty-seventh, eighteen hundred and seventy-four.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Ream—An Act to amend an Act entitled an Act to amend an Act entitled an Act prescribing the manner of apportioning school moneys in Siskiyou, Modoc, and Sonoma Counties, approved March thirtieth, eighteen hundred and seventy-four; approved February ninth, eighteen hundred and seventy-six.

Read first and second times, and referred to the delegations named in the bill.

By Mr. Fowler—An Act to confirm certain letters patent of the State of California to W. F. Montgomery.

Read first and second times, and referred to Judiciary Committee.

By Mr. Haymond—An Act for the relief of John Timmins.

Read first and second times, and referred to Committee on Claims.

By Mr. Pierson—An Act to amend sections ninety, ninety-one, and ninety-two of the Civil Code, in relation to divorcees.

Read first and second times, and referred to Judiciary Committee.

By Mr. Craig—An Act to amend an Act entitled an Act for the appointment of Inspector of Stationary Steam Boilers and Steam Tanks, and for the better security of life and property in the City and County of San Francisco; approved March twenty-seventh, eighteen hundred and seventy-six.

Read first and second times, and referred to the San Francisco delegation, and ordered printed.

MOTIONS AND RESOLUTIONS.

Resolutions were offered as follows:

By Mr. McCoppin:

WHEREAS, It appears that a bill has been introduced in Congress by the Hon. — Shelley, of Alabama, to restrict Chinese immigration by levying a per capita tax of two hundred and fifty (\$250) dollars upon every subject of China entering the United States, except officers or duly accredited agents of the Chinese Government, and their families; and whereas, this measure, if promptly adopted by Congress, would have the effect of checking, if not wholly stopping, the further coming to this country of hordes of the lowest class of Chinese whose presence here would increase the miseries of our working people by still further cheapening and degrading labor; therefore

Resolved by the Senate of California, the Assembly concurring. That our Senators in Congress are hereby instructed, and our Representatives requested, to use all honorable means to secure the speedy passage of said bill.

Resolved. That the Governor of this State is hereby requested to transmit copies of these resolutions to our Senators and Representatives in Congress.

Read first and second times.

On motion of Mr. McCoppin the rules were suspended to place the resolution on its third reading and passage. Considered engrossed.

Read third time, and passed.

On motion of Mr. Haymond the rules were further suspended and

the resolution ordered transmitted forthwith to the Assembly without engrossment.

By Mr. Curtis:

Resolved by the Senate, the Assembly concurring, That our Senators in Congress be and they are hereby instructed, and our Representatives in Congress be and they are hereby requested, to vote for and use all proper means to secure the passage of laws remonetizing silver; repealing all laws authorizing the establishment of National Banks; repealing the law known as the Resumption Act, and providing that greenbacks shall be receivable for all debts due the General Government.

Resolved, That the Governor be requested to transmit a certified copy of the foregoing resolution to each of our Senators and Representatives in Congress.

Read first and second times, and referred to the Committee on Federal Relations.

By Mr. Haymond:

WHEREAS, It has been made to appear to the Legislature of the State of California that the best interests of the State require that Chinese immigration to this country be prohibited; and whereas, it has also been made to appear that nearly the entire immigration comes from the port of Hongkong, a British Colony, for which reason neither a partial nor total abrogation of the so-called Burlingame Treaty will afford the desired relief; and whereas, it has also been made to appear that the joint and friendly action of the Governments of Great Britain and the United States, and the exercise of the treaty-making powers thereof, if such action could be obtained, would produce the desired effect. Therefore, be it

Resolved by the Senate of California, the Assembly concurring, That our Senators in Congress are hereby instructed and our Representatives requested, to use every exertion to procure the cooperation of the two governments in the modification of all treaties existing between either and the Empire of China, so that Chinese immigration to the United States may not be permitted; and be it further

Resolved, That the Congress of the United States is hereby respectfully requested to enact the necessary laws to authorize the President of the United States to appoint a commission to act in conjunction with like commissioners appointed by the Government of Great Britain and the Emperor of China, with power to investigate the whole subject matter, and make such treaty stipulations as will prevent the evil and, at the same time, preserve the friendly relations now existing between the three governments.

Resolved, That the Governor of this State is hereby requested to transmit copies of these resolutions to each of our members of Congress.

Read first and second times, ordered on the general file, and to be printed.

By Mr. Curtis:

Resolved by the Senate, the Assembly concurring, That our Senators and Representatives in Congress be and they are hereby respectfully and earnestly requested to procure appropriations of moneys from the General Government for the purpose of erecting a public building in the City of Sacramento for a post-office, and other federal offices, and for the improvement of the navigation of the Sacramento River.

Resolved, That the Governor be requested to transmit a copy of the foregoing resolution to each of our Senators and Representatives in Congress.

Read first and second times, and referred to Committee on Federal Relations.

By Mr. Pierson:

Resolved, That the Judiciary Committee be requested to report to the Senate its views upon the right of the Legislature, under the Act of Congress of eighteen hundred and sixty-six, to adjourn for the usual holidays' recess in case the United States Senatorial contest should be protracted beyond that time.

Adopted.

By Mr. McCoppin:

Resolved, That all bills introduced into the Senate shall contain in the title a succinct statement of the subject matter of the bill.

Adopted.

By Mr. Pierson:

Resolved, That the San Francisco delegation be authorized to appoint a clerk to said delegation, at a per diem of five dollars, to be paid out of the appropriation for the contingent expenses of the Senate.

Adopted.

By Mr. Craig—A resolution to allow the clerk to the Sergeant-at-Arms three days' pay, from the third to the fifth of December.

Referred to the Committee on Contingent Expenses.

ADJOURNMENT.

At three o'clock and forty minutes P. M., on motion of Mr. Pierson, the Senate adjourned until twelve o'clock M. to-morrow.

IN SENATE.

SENATE CHAMBER,
Tuesday, December 11th, 1877. }

Senate met pursuant to adjournment.

President in the chair.

Roll called, and a quorum present.

Journal of yesterday read and approved.

The President presented the following communication from the Secretary of State:

STATE OF CALIFORNIA, DEPARTMENT OF STATE, }
SACRAMENTO, December 3d, 1877. }

To the HON. JAMES A. JOHNSON,

President of the Senate:

SIR: In accordance with the provision of section two of "an Act recommending to the electors of the State to vote for or against a Convention to revise and change the Constitution of the State," approved April third, eighteen hundred and seventy-six, I herewith transmit to the Honorable Senate a complete abstract of the whole number of votes cast "for" and "against" a Convention at the general election held on Wednesday, September fifth, eighteen hundred and seventy-seven, prepared by me from the "official returns" of said election, on file in my office. I have also added a statement of the total number of votes polled in each county in the State, all of which are official, except of twelve counties, from which no returns of the total vote of the county was given.

Respectfully,

THOMAS BECK,
Secretary of State.

Mr. Pierson offered a concurrent resolution in reference to the subject, as follows:

WHEREAS, The County Clerks of the Counties of Alpine, Amador, Calaveras, Humboldt, Lassen, Marin, Merced, Placer, Sacramento, San Diego, San Joaquin, and Tulare, have failed to transmit to the Secretary of State, with their abstract of votes polled on the question of calling a Convention to revise and change the Constitution of the State, at the general election for members of the Legislature, held throughout the State on Wednesday, the fifth day of September, eighteen hundred and seventy-seven, a statement of the total number of votes polled at said election in their respective counties as required by law; therefore, be it

Resolved by the Senate, the Assembly concurring, That the County Clerks of the aforesaid Counties of Alpine, Amador, Calaveras, Humboldt, Lassen, Marin, Merced, Placer, Sacramento, San Diego, San Joaquin, and Tulare, be and they are hereby directed and required to transmit forthwith to the Secretary of State a certificate showing the total vote polled in each of their

respective counties at said general election held on Wednesday, September fifth, eighteen hundred and seventy-seven.

Resolved, That the Secretary of State be requested to transmit to each of the County Clerks of the counties named in the foregoing resolution a copy thereof.

Mr. Satterwhite moved to amend by striking out "directed and required," and to insert that the County Clerks aforesaid be "requested" to transmit, etc.

Lost.

The resolution was adopted.

On motion of Mr. Haymond the whole subject was referred to the Judiciary Committee.

PETITIONS.

Mr. Haymond presented a petition from the lady managers of the Protestant Orphan Asylum, of Sacramento, praying for the enactment of a law making it a criminal offense for any man or woman to willfully abandon his or her child or children under the age of ten years.

Received and referred to the Committee on Public Morals.

Mr. Smith presented a petition from citizens and taxpayers of Los Angeles County praying for the enactment of a law to provide—

First—For the collection of taxes semi-annually or quarterly.

Second—For authorizing Tax Collectors (both county and municipal) to receive some proportionate amount (say ten per centum) of the taxes in silver.

Third—For making county officials salaried officers, and requiring all fees of office to be paid into the county treasury. Said law, if not general, to apply to said county.

Received and referred to the Committee on Finance.

REPORTS.

Mr. Haymond submitted the following report:

MR. PRESIDENT: The Special Committee on Chinese Immigration, to whom was referred Senate Bill No. 17, an Act to ascertain and express the will of the people of the State of California upon the subject of Chinese immigration, report the same back with an amendment, and recommend the adoption of the amendment and the passage of the bill as amended.

HAYMOND, for the Committee.

ASSEMBLY MESSAGES.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, December 8th, 1877. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has received the Governor's biennial message and accompanying documents.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, December 10th, 1877. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, passed Assembly Concurrent Resolution No. 7, relative to certain Indian Reservations, and ordered the same transmitted without engrossment.

CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Concurrent Resolution No. 7, above reported, read first and second times, and by general consent, rules suspended, read third time, and adopted.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Smith—An Act to repeal an Act entitled an Act to create a Board of Public Works in and for the City of Los Angeles.

Also, an Act to ratify certain acts and proceedings of the Council of the City of Los Angeles.

Each of the above bills were read first and second times, and referred to the Judiciary Committee.

By Mr. Dean—An Act to amend and also to repeal certain sections of the Political Code, relating to elections.

Read first and second times, and referred to the San Francisco delegation, and ordered printed.

By Mr. Coleman—An Act to amend section one hundred and thirteen of the Code of Civil Procedure, so as to change the time for the election of Justices of the Peace.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Murphy, of San Luis Obispo—An Act to provide for the construction of the "Casitas Pass" road in the County of Ventura.

Also, an Act to fix the bonds of the county officers of Ventura County.

Also, an Act to amend an Act entitled an Act authorizing the Trustees of the San Buenaventura School District, of the County of Santa Barbara, in this State, to issue bonds for said district, for the sum of ten thousand dollars, approved March sixteenth, eighteen hundred and seventy-two.

Each of the above bills read first and second times, and ordered on the general file.

By Mr. Craig—An Act to prevent the adulteration of milk, and to establish the office of Milk Inspector in and for the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation, and ordered printed.

By Mr. Smith—A bill to enact section three thousand five hundred and seventy-five of the Political Code of the State of California.

Read first and second times, and referred to Judiciary Committee.

By Mr. Donovan—An Act to provide for the recovery of double taxation on the outside lands of the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

And also, an Act entitled an Act to amend section sixteen hundred and twenty-four of the Civil Code.

By Mr. Haymond—An Act to amend section fourteen, and to reenact sections fifteen, sixteen, and seventeen of the Civil Code, relating to definitions.

Each of the above bills read first and second times, and referred to the Judiciary Committee.

MOTIONS AND RESOLUTIONS.

By Mr. Hilborn—A joint resolution, as follows:

Resolved by the Senate, the Assembly concurring, That our Senators and Representatives in Congress be and they are hereby respectfully requested to use their most earnest effort to procure an appropriation of money from the General Government for the completion of the stone dry dock, now in course of construction, at the Navy Yard at Mare Island.

Resolved, That the Governor be requested to transmit a copy of the foregoing resolution to each of our Senators and Representatives in Congress.

Read first and second times, and referred to the Committee on Federal Relations.

By Mr. Nunan:

WHEREAS, The San Francisco Senate delegation, having on the seventh instant appointed Albert Morrissey their clerk; therefore, be it

Resolved, That the pay of said clerk commence on and continue from said day.

Referred to the Committee on Contingent Expenses.

By Mr. Shirley:

Resolved, That the Journal Clerk of the Senate be authorized to employ an assistant at the per diem of the Journal Clerk, payable out of the appropriation for the contingent expenses of the Senate.

Mr. Shirley accepted an amendment offered by Mr. Rogers, fixing the per diem at six dollars, when the resolution was adopted as amended.

By Mr. Shirley:

Resolved, That the Minute Clerk be authorized to appoint an assistant at the per diem of Minute Clerk, payable out of the appropriation for the contingent expenses of the Senate.

An amendment, offered by Mr. Rogers, fixing the per diem at six dollars, was accepted, and the resolution adopted as amended.

On motion of Mr. Evans, the joint resolution offered by Mr. Curtis on yesterday, in relation to remonetizing silver, etc., was ordered printed.

The resolution offered by Mr. Rogers, on yesterday, was taken up, reading as follows:

Resolved, That the committees shall consist of the same number of members that they did at the last session of the Legislature, except the Judiciary Committee, which shall consist of seven members.

Mr. Ream offered the following substitute:

That the Committee on Contingent Expenses consist of five members.

Committee on Education, consist of five members.

Committee on Federal Relations, consist of five members.

Committee on State Prison, consist of seven members.

Substitute accepted, and resolution adopted as amended.

The Standing Committees of the Senate, as amended in full, are as follows:

RULE NUMBER EIGHTEEN.

The following standing committees shall be appointed:

1. Committee on Agriculture, to consist of five members.
2. Committee on Claims, to consist of five members.

3. Committee on Commerce and Navigation, to consist of five members.
4. Committee on Contingent Expenses, to consist of five members.
5. Committee on Corporations, to consist of seven members.
6. Committee on Counties and County Boundaries, to consist of three members.
7. Committee on Education, to consist of five members.
8. Committee on Engrossed Bills, to consist of five members.
9. Committee on Enrolled Bills, to consist of five members.
10. Committee on Federal Relations, to consist of five members.
11. Committee on Finance, to consist of five members.
12. Committee on Hospitals, to consist of three members.
13. Committee on Internal Improvement, to consist of five members.
14. Committee on Judiciary, to consist of nine members.
15. Committee on Mileage, to consist of three members.
16. Committee on Military Affairs, to consist of three members.
17. Committee on Mines, to consist of five members.
18. Committee on Public Buildings, other than Prison Buildings, to consist of five members.
19. Committee on Public and Swamp and Overflowed Lands, to consist of five members.
20. Committee on Public Morals, to consist of three members.
21. Committee on Public Printing, to consist of three members.
22. Committee on Roads and Highways, to consist of three members.
23. Committee on State Library, to consist of three members.
24. Committee on State Prison and Prison Buildings, to consist of seven members.
25. Committee on Irrigation and Water Rights, to consist of seven members.
26. Committee on Fisheries and Game, to consist of five members.

Messrs. Murphy, of Santa Clara, and Fowler were granted leave of absence for one day each.

The resolution offered by Mr. Nunan, on the fourth instant, was taken up, and amended, on motion of Mr. Craig, to read as follows:

Resolved, That the State Capitol Commissioners be and they are hereby directed to set apart a room as a ladies' dressing-room.

Adopted as amended.

Mr. Lewis, President pro tem., in the chair.

GENERAL FILE.

Senate Joint Resolution No. 5, in relation to Chinese immigration.
Read third time.

On the adoption of the resolution, the ayes and noes were demanded by Messrs. Haymond, Lambert, and Norton, and it was adopted by a vote as follows:

AYES—Messrs. Angney, Beazell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Norton, Nunan, Pierson, Porter, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney—39.

NOES—None.

Senate Bill No. 17—An Act to ascertain and express the will of the people of the State of California upon the subject of Chinese immigration.

Amendment adopted.

Rules suspended, considered engrossed, read third time, and passed.

On motion of Mr. Murphy, of San Francisco, four hundred and eighty copies of Senate Bill No. 41 were ordered printed.

ADJOURNMENT.

At one o'clock and twenty-three minutes P. M., on motion of Mr. Satterwhite, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Wednesday, December 12th, 1877. }

Senate met pursuant to adjournment.

President in the chair.

The roll of the Senate was called, and the following Senators answered to their names:

Messrs. Angney, Beazell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Norton, Nunan, Pierson, Porter, Ream, Rogers, Satterwhite, Searls, Shirley, and Whitney.

Quorum present.

Journal of yesterday read and approved.

The President appointed the following Standing Committees of the Senate:

The following committees are appointed:

1. *Committee on Agriculture*—Messrs. Hill, Montgomery, Crane, Flint, and Coleman.
2. *Committee on Claims*—Messrs. McCoppin, P. W. Murphy, Norton, Pierson, and Smith.
3. *Committee on Commerce and Navigation*—Messrs. Howe, McCoppin, Beazell, J. C. Murphy, and Dean.
4. *Committee on Contingent Expenses of the Senate*—Messrs. Rogers, P. W. Murphy, Whitney, Donovan, and Crane.
5. *Committee on Corporations*—Messrs. Searls, Shirley, McCarthy, Gwin, Hilborn, Evans, and W. H. Brown.
6. *Committee on County and County Boundaries*—Messrs. Crane, Hill, and Flint.
7. *Committee on Education*—Messrs. Lewis, Donovan, F. M. Brown, Rogers, and Howe.
8. *Committee on Engrossed Bills*—Messrs. Craig, Howe, Flint, B. D. Murphy, and Ream.
9. *Committee on Enrolled Bills*—Messrs. McCarthy, Rogers, Angney, Boyston, and Norton.
10. *Committee on Federal Relations*—Messrs. Lambert, Satterwhite, Hilborn, Searls, and Porter.
11. *Committee on Finance*—Messrs. Angney, McCoppin, Gwin, W. H. Brown, and Norton.
12. *Committee on Hospitals*—Messrs. Ream, Craig, and Flint.
13. *Committee on Internal Improvements*—Messrs. Fowler, B. D. Murphy, McCarthy, Boyston, and Coleman.
14. *Committee on the Judiciary*—Messrs. McGarvey, Pierson, Curtis, Smith, Porter, Lewis, B. D. Murphy, Lambert, and Craig.
15. *Committee on Mileage*—Messrs. Smith, Whitney, and Angney.
16. *Committee on Military Affairs*—Messrs. Boyston, Evans, and J. C. Murphy.
17. *Committee on Mines and Mining*—Messrs. Coleman, Gwin, Ream, F. M. Brown, and Searls.
18. *Committee on Public Buildings, other than Prison Buildings*—Messrs. Donovan, Nunan, Goodwin, Beazell, and Whitney.
19. *Committee on Swamp, Overflowed, and Public Lands*—Messrs. Pierson, Fowler, Shirley, Evans, and Dean.
20. *Committee on Public Morals*—Messrs. Montgomery, Donovan, and Dean.
21. *Committee on Public Printing*—Messrs. J. C. Murphy, Porter, and P. W. Murphy.
22. *Committee on Roads and Highways*—Messrs. P. W. Murphy, Crane, and Hill.
23. *Committee on State Library*—Messrs. Curtis, J. C. Murphy, and Norton.
24. *Committee on State Prison*—Messrs. Shirley, Beazell, Whitney, McGarvey, Goodwin, Haymond, and Nunan.
25. *Committee on Irrigation and Water Rights*—Messrs. Satterwhite, Fowler, Haymond, W. H. Brown, and F. M. Brown.
26. *Committee on Fisheries and Game*—Messrs. Hilborn, Hill, Angney, J. C. Murphy, and Nunan.

Mr. Pierson asked to be excused from serving as a member of the Judiciary Committee, and that Mr. Haymond be substituted for himself.

Mr. Haymond, giving reasons for not being able to serve as a member of said committee, declined.

Mr. McCoppin offered the following:

Resolved, That Senators Searls and Haymond be added to the Judiciary.

Laid over one day.

Mr. Rogers, by leave, offered a resolution as follows:

Resolved by the Senate, the Assembly concurring, That a committee of three from each House be appointed to frame and report joint standing rules of both Houses of the Legislature.

Rules suspended, adopted, and ordered to the Assembly forthwith.

ASSEMBLY MESSAGE.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, December 11th, 1877.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, passed Senate Concurrent Resolution No. 4—Relative to Chinese immigration.

Also, amended and passed Senate Bill No. 24—An Act giving control of the bridge across the estuary of San Antonio, in the County of Alameda, to the Supervisors of said county.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Senate Bill No. 24, above reported—Assembly amendment to the bill concurred in.

INTRODUCTION OF BILLS.

Bills were introduced, by leave, as follows:

By Mr. Lewis—An Act to foster home industries in the publication of text-books, and to maintain the good faith of the State by re-establishing the contract heretofore entered into by and between A. L. Bancroft & Co. and the State Board of Education of the State of California.

Read first and second times, and referred to the Committee on Education.

By Mr. Murphy, of San Francisco—An Act supplemental to an Act entitled an Act to open and establish a public street in the City and County of San Francisco, to be called Montgomery Avenue, and to take private lands therefor.

Read first and second times, and referred to San Francisco delegation.

By Mr. Craig—An Act to repeal section sixty of the Civil Code.

Read first and second times, and referred to the Judiciary Committee.

By Mr. McCoppin—An Act to extend the Golden Gate Park to Market Street, in the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Montgomery—An Act to regulate the assessment of migratory herds of live stock, and provide for the equitable distribution of the taxes derived therefrom.

Read first and second times, and referred to the Committee on Finance.

By Mr. Nunan—An Act to provide homes for homeless children, and for such as whose parents or natural guardians are incapable of taking care of them.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Norton—An Act to reimburse the County of Placer for moneys expended in the collection of State taxes.

Read first and second times, and referred to Committee on Finance.

MOTIONS AND RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Porter:

Resolved by the Senate, the Assembly concurring. That a joint committee of three members of the Senate and three members of the Assembly be appointed, to whom shall be referred all Acts, resolutions, and papers which may be introduced into either House touching the subject of Chinese immigration.

Adopted.

By Mr. Nunan:

Resolved. That P. A. Casey be and he is hereby continued as Gatekeeper and Porter, at a per diem of four dollars from the commencement of the session, the same to be paid out of the appropriation for the contingent expenses of the Senate.

Adopted.

By Mr. McGarvey:

Resolved. That the Committee on Judiciary be authorized to appoint a Clerk, to receive for his services eight dollars—\$8.00 per diem, to be paid out of the appropriation for the contingent expenses of the Senate.

Adopted.

GENERAL FILE.

Senate Bill No. 43—An Act to provide for the construction of the "Casitas Pass" road, in the County of Ventura.

Rules suspended, considered engrossed, read third time, and passed.

[Mr. Evans in the chair.]

Senate Bill No. 44—An Act to fix the bonds of the county officers of Ventura County.

On motion of Mr. Fowler, considered in Committee of the Whole.

In Senate—Reported with recommendation that the bill be referred to the Committee on Finance.

So referred.

Senate Bill No. 45—An Act to amend an Act entitled an Act authorizing the Trustees of the San Buenaventura School District, of the County of Santa Barbara, in this State, to issue bonds for said district for the sum of ten thousand dollars.

Amended, on motion of Mr. Lewis, by adding section one.

Ordered engrossed.

Mr. McGarvey and Mr. Fowler asked to be recorded as having voted for the passage of Senate Joint Resolution No. 5, in relation to Chinese immigration, which was adopted on yesterday.

So ordered by general consent.

ADJOURNMENT.

At twelve o'clock and twelve minutes p. m., on motion of Mr. Goodwin, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Thursday, December 13th, 1877. }

Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names :

Messrs. Angney, Beazell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Norton, Nunan, Pierson, Porter, Ream, Rogers, Satterwhite, Searls, Shirley, and Whitney.

Quorum present.

Journal of yesterday read and approved.

Mr. Murphy, of San Luis Obispo, was granted leave of absence for one day.

INTRODUCTION OF BILLS.

Bills were introduced, by leave, as follows :

By Mr. Shirley—An Act to amend an Act entitled an Act to regulate fees of office, and to fix the compensation of certain officers, in the County of Contra Costa, approved March second, eighteen hundred and seventy-six.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Murphy, of San Francisco—An Act relative to street repairs in the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

MOTIONS AND RESOLUTIONS.

By Mr. Angney :

Resolved, That James Saultry be allowed six dollars per diem for services as Watchman of the Senate, to be paid out of the appropriation for the contingent expenses of the Senate, and to take effect from the beginning of the session.

Adopted.

By Mr. Satterwhite :

WHEREAS, The Hon. Alexander H. Stephens has introduced a bill in the House of Representatives of the United States, providing government aid in building the Texas and Pacific Railroad; and whereas, the government is fully secured in said bill by a first mortgage on the

road and on all the lands granted said railroad company by the United States and by the State of Texas: and whereas, by the provisions of said bill said Texas and Pacific Railroad is to remain forever an independent and competitive transcontinental line; therefore, be it

Resolved by the Senate, the Assembly concurring, That our Representatives in Congress be requested, and our Senators instructed, to support the said bill, and to use all reasonable and honorable means to secure its enactment into a law.

Resolved, That his Excellency, the Governor, be requested to forward to each of our Representatives and Senators a copy of these resolutions.

Read first and second times, and referred to the Committee on Federal Relations.

By Mr. Fowler:

Resolved, That the Sergeant-at-Arms be authorized to appoint a Porter for the committee rooms, and Doorkeeper for the galleries, at a per diem of four dollars, payable out of the appropriation for the contingent expenses of the Senate.

On motion of Mr. Rogers, the resolution was referred to the Committee on Contingent Expenses.

By Mr. Angney:

Resolved, That a committee of five be appointed to inquire into the public expenditures, to ascertain whether any retrenchment be practicable or advisable, with instructions to report such bill or bills as they may deem proper, in order that such retrenchment may take place.

Adopted.

On motion of Mr. Nunan, Senate Bill No. 56—An Act to provide homes for homeless children, and for such as whose parents or natural guardians are incapable of taking care of them—was ordered printed.

On motion of Mr. McCoppin, Senate Bill No. 54—An Act to extend the Golden Gate Park to Market street, in the City and County of San Francisco—was ordered printed.

UNFINISHED BUSINESS.

The resolution offered by Mr. McCoppin, on yesterday, was taken up, reading as follows:

Resolved, That Senators Searls and Haymond be added to the Judiciary Committee.

Mr. Murphy, of Santa Clara, expressed a desire to retire from said committee in favor of one of the Senators named in the resolution.

Mr. Pierson offered an amendment to the resolution, that Mr. Murphy, of Santa Clara, and himself, be excused from serving on the Judiciary Committee, and that Senators Searls and Haymond be added thereto.

Mr. Fowler moved to lay the resolution on the table.

Carried.

ADJOURNMENT.

At eleven o'clock and thirty-two minutes A. M., on motion of Mr. Murphy, of San Francisco, the Senate adjourned.

IN SENATE.

SENATE CHAMBER, }
 Friday, December 14th, 1877. }

Senate met pursuant to adjournment.

The President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Angney, Beazell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Donovan, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Pierson, Porter, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

Journal of yesterday read and approved.

Messrs. Dean and Evans were granted leave of absence for one day each.

PETITIONS.

Petitions were presented, as follows:

By Mr. Haymond—From teachers and School Trustees of Sacramento City and County, praying for the adoption and early introduction of the Pacific Coast Readers.

By Mr. Howe—From leading business men of San Francisco, praying for the adoption of the Pacific Coast Readers for use in the public schools.

By Mr. Hilborn—From teachers and School Trustees of Solano County, praying for the adoption and early introduction of the Pacific Coast Readers, to take the place of McGuffey's Readers.

By Mr. Hill—From teachers and School Trustees of Sonoma County, praying for the adoption and early introduction of the Pacific Coast Readers, to take the place of McGuffey's Readers.

By Mr. McGarvey—From teachers and School Trustees of Mendocino County, praying for the adoption and early introduction of the Pacific Coast Readers, to take the place of McGuffey's Readers.

Also, from teachers and School Trustees of Humboldt County, upon the same subject.

By Mr. Lewis—From teachers and School Trustees of Colusa County, praying for the adoption and early introduction of the Pacific Coast Readers, to take the place of McGuffey's Readers.

Also, from teachers and School Trustees of forty counties of the State, praying for the adoption and early introduction of the Pacific Coast Readers, to take the place of McGuffey's Readers.

Each of the above petitions were received, and referred to the Committee on Education.

By Mr. Smith—From citizens and taxpayers of Los Angeles County:

1. For the collection of taxes semi-annually, or quarterly.

2. For authorizing tax collectors (both county and municipal) to receive some proportionate amount (say ten per centum) of the taxes in silver coin.

3. For making county officials salaried officers, and requiring all fees of office to be paid into the county treasury.

Received and referred to the Committee on Finance.

REPORTS.

Reports were submitted, as follows:

By Mr. Rogers:

MR. PRESIDENT: Your Committee on Contingent Expenses, to whom was referred Senate Resolution No. 25 (in relation to the commencement of per diem of Secretary to the San Francisco delegation), have had the same under consideration, and respectfully recommend passage of the same.

GEO. H. ROGERS, Chairman,
M. J. DONOVAN,
P. W. MURPHY,
W. H. CRANE,
A. P. WHITNEY.

The resolution was taken up, which reads as follows:

WHEREAS, The San Francisco Senate delegation having, on the seventh instant, appointed Albert Morrissey their Clerk; therefore, be it

Resolved, That the pay of said Clerk commence on and continue from said day.

Adopted.

By Mr. Howe:

SENATE CHAMBER.

SACRAMENTO, December 14th, 1877.

MR. PRESIDENT: Your Committee on Engrössment have examined, and find correctly engrossed, Senate Bill No. 17—An Act to ascertain and express the will of the people of the State of California upon the subject of Chinese immigration.

Also, Senate Bill No. 24—An Act giving control of the bridge across the estuary of San Antonio, in the County of Alameda, to the Supervisors of said county.

Also, Senate Joint Resolution No. 5—Relative to Chinese immigration.

Also, Senate Bill No. 43—An Act to provide for the construction of the "Casitas Pass" road, in the County of Ventura.

ROBERT HOWE, for the Committee.

INTRODUCTION OF BILLS.

Bills were introduced, as follows:

By Mr. McCoppin—An Act to provide for the payment of certain coupons upon bonds issued by the Central Pacific Railroad Company, and known as State aid bonds.

Read first and second times, and with accompanying documents referred to the Committee on Finance.

By Mr. Porter—An Act to amend an Act entitled an Act to incorporate the Town of Alameda, approved March seventh, eighteen hundred and seventy-two; and an Act to amend said Act, approved March eighteenth, eighteen hundred and seventy-four; and an Act supplemental to and amendatory of both said Acts, approved March twentieth, eighteen hundred and seventy-six.

Read first and second times, and referred to the Committee on Corporations, and ordered printed.

By Mr. Ream—An Act supplemental to an Act entitled an Act to provide for and maintenance of the indigent sick of Si-skiyou County, approved April twenty-second, eighteen hundred and sixty-one.

Read first and second times, and referred to the Committee on Hospitals.

MOTIONS AND RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Searls:

Resolved, That the Committee on Corporations be authorized to appoint a Clerk at a salary of five (\$5) dollars per diem, as by law provided, to be paid out of the appropriation for the contingent expenses of the Senate.

Rules suspended, adopted.

By Mr. Craig:

Resolved, That the State Capitol Commissioners be requested to place upon the steps leading from the capitol grounds to the streets, a sufficient number of lighted lanterns, during the evening sessions of the Legislature, or other meetings as held.

Adopted.

Mr. McCarthy submitted the following report:

SENATE CHAMBER, }
December 14th, 1877. }

MR. PRESIDENT: Your Committee on Enrollment have examined and find correctly enrolled "Senate Joint Resolution No. 4—Concerning Chinese immigration"—and this day, at eleven o'clock and fifteen minutes A. M., presented the same to the Governor.

T. MCCARTHY, Chairman.

The President appointed as the committee on the part of the Senate, provided for under authority of a resolution calling for a joint committee, to whom shall be referred all acts, resolutions, and papers which may be introduced into either House touching the subject of Chinese immigration, adopted on the twelfth instant, Messrs. Porter, McCoppin, and Norton.

Mr. Rogers moved that a special committee of three, to select proper rooms for the Senate committees, be appointed.

Adopted.

The President appointed as such committee, Messrs. Rogers, Lambert, and McGarvey.

The President appointed the following committee, under authority of the resolution adopted on yesterday, in relation to public expenditures, etc., Messrs. Angney, Nunan, Norton, Montgomery, and Dean.

The President appointed the following Committee on Joint Rules, on the part of the Senate: Messrs. Rogers, Lewis, and W. H. Brown.

ADJOURNMENT.

At eleven o'clock and twenty-five minutes A. M., on motion of Mr. Lewis, the Senate adjourned until Monday, the seventeenth instant, at three o'clock P. M.

IN SENATE.

SENATE CHAMBER,
Monday, December 17th, 1877. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names.

Messrs. Angney, Beazell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McFarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

Journal of Friday last was read and approved.

Mr. Porter was granted leave of absence for one day.

REPORTS OF COMMITTEES.

Reports were submitted, as follows:

By Mr. Craig:

SENATE CHAMBER,
SACRAMENTO, December 17th, 1877. }

MR. PRESIDENT: Your committee have examined, and find correctly engrossed, Senate Bill No. 45—An Act to amend an Act entitled an Act authorizing the Trustees of San Buenaventura School District, of the County of Santa Barbara, in this State, to issue bonds for said district, for the sum of ten thousand dollars.

J. CRAIG, for the Committee.

By Mr. Nunan:

SENATE CHAMBER,
SACRAMENTO, December 17th, 1877. }

MR. PRESIDENT: The San Francisco delegation, to whom was referred Senate Bill No. 2—An Act to limit and fix the rate of fares on street railroads in cities and towns of more than one hundred thousand inhabitants—having considered and amended the same, report it back, and recommend its passage as amended.

Also, Senate Bill No. 3—An Act to preserve the name of a street in the City of San Francisco—having considered the same, report it back, and recommend its passage.

Also, Senate Bill, No. 48—An Act to provide for the recovery of double taxation on the outside lands of the City and County of San Francisco—having considered the same, report it back, and recommend its passage.

Also, Senate Bill No. 59—An Act relative to street repairs in the City and County of San Francisco—having considered and amended the same, report it back, and recommend its passage as amended.

Very respectfully,

EDWARD NUNAN, Chairman.

On motion of Mr. McCoppin, the rules were suspended, and Senate Bill No. 2, above reported, taken up, amendment adopted, considered engrossed, read third time, and passed.

GOVERNOR'S MESSAGES.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT. }
SACRAMENTO, December 17th, 1877. }

To the Senate of the State of California:

I have the honor to transmit to your honorable body the fourth biennial report of the Board of Park Commissioners of the City and County of San Francisco, which the Board is required by law to make to the Legislature of this State.

As there is but one copy thereof, I respectfully ask that the Assembly be notified of its receipt.

WILLIAM IRWIN, Governor.

On motion of Mr. McCoppin, the report above transmitted was ordered printed.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT. }
SACRAMENTO, December 17th, 1877. }

To the Senate of the State of California:

I have the honor to inform your honorable body that, since the adjournment of the twenty-first session of the Legislature, I have made the following appointments, and respectfully ask that the Senate consent to the same:

May 3d, 1876—John A. Stanley, vice Barker, resigned: one of the Trustees of the Deaf, Dumb, and the Blind Asylum.

April 20th, 1876—Eugene Casserly, vice H. H. Haight, resigned: and on May 14th, 1877, George Davidson, vice John B. Felton, deceased: members of the Board of Regents of the University of the State of California.

March 5th, 1877—M. S. Heran, Brigadier-General of the Fourth Brigade, National Guard, vice W. T. Crowell, resigned; J. G. Martine, who was, on the 3d of April, 1876, nominated by me and confirmed by the Senate as Brigadier-General of said Brigade, having failed to qualify and assume command of the Brigade.

And on April 6th, 1877, Charles Cadwalader, vice self, term expired: Brigadier-General of the Fifth Brigade, National Guard.

WILLIAM IRWIN, Governor.

On motion of Mr. McCoppin, the action on the above appointments was made a special order for Wednesday, the nineteenth instant, at three o'clock P. M.

Mr. McCarthy submitted the following report:

SENATE CHAMBER. }
December 17th, 1877. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 24—An Act giving control of the bridge across the estuary of San Antonio, in the County of Alameda, to the Supervisors of said county—and this day, at three o'clock and twenty minutes P. M., presented the same to the Governor.

T. MCCARTHY, Chairman.

INTRODUCTION OF BILLS.

Bills were introduced, as follows:

By Mr. Fowler—An Act to supply the town of Fresno with fresh water.

Read first and second times, and referred to the Judiciary Committee, with a petition accompanying the bill.

By Mr. Pierson—An Act to amend section six hundred and sixty-six of the Political Code.

Read first and second times, and referred to the Committee on Claims.

Also, an Act making appropriations for deficiencies in the appropriation for the payment of salaries of District Judges, for the twenty-eighth fiscal year.

Read first and second times, and referred to the Committee on Finance.

By Mr. Murphy, of Santa Clara—An Act to amend sections two hundred and seventy-five and two hundred and seventy-nine of the Code of Civil Procedure, relating to attorneys and counselors-at-law.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Smith—A joint resolution:

WHEREAS, It is provided by the Constitution of the United States that "each State shall appoint, in such manner as the Legislature thereof may direct, the Presidential Electors," and under such provision it devolves upon the Legislature to provide not only for this manner of voting for Electors, and the counting of the votes, but also for the judicial determination of all controversies and contests arising in reference thereto; and whereas, under the existing laws of the State, no provision is made for determining such controversies and contests; and whereas, it is expedient and necessary that this omission should be supplied, and provision be made by law for the judicial determination of all such controversies and contests; and whereas, the Congress of the United States, under the powers conferred upon it by the Constitution, has fixed the Tuesday after the first Monday in November as the day for the election of Presidential Electors, and the first Wednesday in December following as the day for the Electors to meet and cast their votes for President; and whereas, the period elapsing between the days thus fixed is too short to admit of any judicial determination of controversies and contests arising as to the election of such Electors, and the Legislature is thereby prevented from exercising its undoubted jurisdiction in providing for the judicial determination of such controversies and contests; therefore, be it

Resolved by the Senate, the Assembly concurring, That our Senators be instructed, and our Representatives in Congress requested, to use all means in their power to secure such amendments of the law as to provide for the lapse of at least six months between the day fixed for choosing Electors and the day fixed for them to give their votes for President.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Haymond—An Act to add another section to the Civil Code, in relation to marriage.

Also, an Act to amend an Act in relation to the care of orphan and abandoned children, approved March seventh, eighteen hundred and seventy-four.

Each of the above bills read first and second times, and referred to the Judiciary Committee.

Also, an Act to pay the claim of C. H. Krebs.

Read first and second times, and referred to the Committee on Claims.

By Mr. Searls (by request)—An Act to remit certain delinquent taxes against the Lick estate.

Read first and second times, and referred to the Committee on Finance.

On motion of Mr. Haymond, the rules were suspended, and four hundred and eighty copies of Senate Bill No. 13 were ordered printed.

MOTIONS AND RESOLUTIONS.

Resolutions were offered, as follows:

By Mr. Shirley:

Resolved, That the Committee on State Prison be authorized to appoint a Clerk, at a salary of five dollars per diem, payable out of the appropriation for the contingent expenses of the Senate.

Rules suspended, and the resolution adopted.

By Mr. Howe—A resolution authorizing the Printing Committee to employ a Clerk, whose duty it shall be to take charge of all matter ordered to be printed, and transmit the same to the State Printer.

On motion of Mr. Rogers, the resolution was referred to the Committee on Printing.

By Mr. Craig—A resolution appointing Charles Moreno as Porter for the gallery and Messenger to the State Printing Office.

On motion of Mr. Howe, referred to the Committee on Contingent Expenses.

On motion of Mr. Searls, and by general consent, R. Shoemaker, Secretary of the Senate, was allowed leave of absence for three days.

Mr. Lewis asked leave to withdraw Senate Bill No. 15 from the further consideration of the Senate.

On motion of Mr. McGarvey, the Committee on Contingent Expenses was requested to report said bill to the Senate.

ADJOURNMENT.

At three o'clock and fifty minutes P. M., on motion of Mr. Pierson, the Senate adjourned.

IN SENATE.

SENATE CHAMBER, }
Tuesday, December 18th, 1877. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Angney, Beazell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hall, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Pierson, Porter, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

Journal of yesterday was read and approved.

PETITIONS.

Mr. Hilborn presented a petition from fifty-two persons engaged in salmon fishing, asking for certain changes in the law protecting salmon.

Received and referred to the Committee on Fisheries and Game, and ordered printed.

By Mr. Porter—A memorial of the Board of Directors of the Institution for the Education of the Deaf and Dumb, and the Blind, of the State of California, requesting that an appropriation may be made for, and that the memorialists may be caused to erect additional buildings, etc.

Received, and referred to the Committee on Public Buildings.

REPORTS OF COMMITTEES.

Reports were submitted, as follows:

By Mr. Lambert:

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Senate Concurrent Resolution No. 7—relative to public building in the City of Sacramento, and the improving of the navigation of the Sacramento River—have had the same under consideration, and report the same back, and recommend its passage.

LAMBERT, Chairman.

On motion of Mr. Curtis, the rules were suspended, and the resolution above reported was taken up and placed on its passage, considered engrossed, read third time, and adopted.

By Mr. Smith:

MR. PRESIDENT: The Committee on Mileage beg leave to report that the President of the Senate, and Senators, are entitled to mileage for the number of miles and amounts following, viz.:

NAMES.	Miles.	Amount.	NAMES.	Miles.	Amount.
Lieutenant-Governor, as President of the Senate	186	\$27 90	Lambert	40	\$6 00
Anguey	324	48 60	Lewis	270	40 50
Beazell	180	27 00	McCarthy	168	25 20
Boyston	168	25 20	McCoppin	168	25 20
Brown of Amador	118	17 70	McGarvey	410	61 50
Brown of El Dorado	102	15 30	Montgomery	260	39 00
Coleman	134	20 10	Murphy of San Francisco	168	25 20
Craig	168	25 20	Murphy of San Luis Obispo	586	87 90
Crane	366	54 90	Murphy of Santa Clara	256	38 40
Curtis			Norton	72	10 80
Dean	168	25 20	Nunan	168	25 20
Donovan	168	25 20	Pierson	168	25 20
Evans	96	14 40	Porter	188	28 20
Flint	346	51 90	Ream	574	85 50
Fowler	422	63 30	Rogers	168	25 20
Goodwin	104	15 60	Satterwhite	1,176	176 40
Gwin	128	19 20	Searls	142	21 30
Haymond			Shirley	178	26 70
Hilborn	124	18 60	Smith	956	143 40
Hill	230	34 50	Whitney	250	37 50
Howe	168	25 20			

GEO. H. SMITH, for Committee.

Resolved, That the Controller of State be authorized and directed to draw his warrant upon the appropriate fund in favor of the parties named, and for the amounts stated in the above report.

The above resolution, accompanying the report, was adopted.

By Mr. Ream:

SENATE CHAMBER.

SACRAMENTO, December 18th, 1877. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 2—An Act to limit and fix the rates of fare on street railroads in cities and towns of more than one hundred thousand inhabitants.

D. REAM, for the Committee.

By Mr. Rogers:

SACRAMENTO, December 17th, 1877.

MR. PRESIDENT: Your Committee on Contingent Expenses, to whom was referred Senate Resolution No. 23—in relation to pay of Clerk to the Sergeant-at-Arms—have had the same under consideration, and respectfully recommend passage of the same.

GEO. H. ROGERS, Chairman,
A. P. WHITNEY,
W. H. CRANE,
M. J. DONOVAN.

Resolved, That the Clerk to the Sergeant-at-Arms of the Senate be and he is hereby allowed three days' pay for the third, fourth, and fifth days of December, payable out of the appropriation for the contingent expenses of the Senate.

Adopted.

Mr. Searls (by leave) offered a resolution, as follows:

Resolved, That the Sergeant-at-Arms be and he is hereby authorized to appoint a Paper-folder at a per diem of three dollars, payable out of the appropriation for the contingent expenses of the Senate.

On motion of Mr. Rogers, referred to the Committee on Contingent Expenses.

By Mr. Evans—A joint resolution, as follows:

Resolved by the Senate, the Assembly concurring, That our Senators and Representatives in Congress be and they are hereby respectfully and earnestly requested to procure appropriations of money from the General Government, for the purpose of erecting a public building in the City of Stockton, for a Post-office and other Federal offices, and for the improvement of navigation of the San Joaquin River.

Resolved, That the Governor be requested to transmit a copy of the foregoing resolution to each of our Senators and Representatives in Congress.

Read first and second times.

On motion of Mr. Evans, the rules were suspended to consider the resolution and place it on its passage. Considered engrossed, read third time, and adopted.

By Mr. Fowler—A resolution to appoint E. M. Reading a Clerk, to take charge of bills and matter required to be printed, between the Senate and State Printing Office, etc.

On motion of Mr. Angney, referred to the Committee on Printing.
By Mr. McCoppin:

Resolved, That the sum of forty-eight dollars be and hereby is appropriated out of the appropriation for the contingent expenses of the Senate, to pay the claim of John L. Love as a witness in the Tide Land Investigation, held during the twenty-first session of the Legislature.

Referred to the Committee on Contingent Expenses.

By Mr. Lewis—A concurrent resolution, as follows:

Resolved by the Senate, the Assembly concurring, That when the Senate and Assembly adjourn on Friday, the twenty-first instant, the two Houses adjourn to meet on Thursday, January third, eighteen hundred and seventy-eight, at three o'clock P. M.

Mr. Porter moved to amend by substituting Saturday, the twenty-second instant, for "Friday, the twenty-first instant."

Lost.

Mr. Pierson moved to amend by striking out "Thursday the third of January, eighteen hundred and seventy-eight," and inserting the twenty-sixth day of December, eighteen hundred and seventy-seven.

Lost.

The resolution was adopted.

By Mr. Goodwin—A joint resolution, as follows:

Resolved by the Senate, the Assembly concurring. That our Senators and Representatives in Congress be and they are hereby requested to use their most earnest efforts to procure an appropriation of money from the General Government for improvement of Feather River, and for Post-office building in the City of Marysville.

Read first and second times.

Rules suspended, considered engrossed, read third time, and adopted.

BALLOTING FOR UNITED STATES SENATOR.

Mr. Evans offered a resolution, as follows:

Resolved. That the Senate do now proceed to ballot for a candidate for the office of United States Senator, for the term of six years, beginning March fourth, eighteen hundred and seventy-nine.

Adopted.

The President of the Senate directed the Secretary to read the Act of Congress, as follows:

Title 11. Chapter I.

U. S. Revised Statutes.

An Act to regulate the time and manner of holding elections for Senator in Congress.

[Approved July 25th, 1866.]

SECTION 14. The Legislature of each State which is chosen next preceding the expiration of the time for which any Senator was elected to represent such State in Congress shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a Senator in Congress.

SEC. 15. Such election shall be conducted in the following manner: Each House shall openly, by a *yea and nay* vote of each member present, name one person for Senator in Congress from such State, and the name of the person voted so for, who received a majority of the whole number of votes cast in each House, shall be entered on the Journal of that House by the Clerk Secretary thereof; or if either House fails to give such majority to any person on that day, the fact shall be entered on the Journal. At twelve o'clock, meridian, of the day following that on which proceedings are required to take place as aforesaid, the members of the two Houses shall convene in joint assembly, and the Journal of each House shall then be read, and if the same person has received a majority of all the votes in each House, he shall be declared duly elected Senator. But if the same person has not received a majority of the votes in each House, or if either House has failed to take proceedings as required by this section, the joint assembly shall then proceed to choose, by a *yea and nay* vote of each member present, a person for Senator, and the person who receives a majority of all the votes of the joint assembly, a majority of all the members elected to both Houses being present and voting, shall be declared duly elected.

If no person receives such majority on the first day, the joint assembly shall meet at twelve o'clock, meridian, of each succeeding day during the session of the Legislature, and shall take at least one vote, until a Senator is elected.

SEC. 16. Whenever, on the meeting of the Legislature of any State, a vacancy exists in the representation of such State in the Senate, the Legislature shall proceed, on the second Tuesday after meeting and organization, to elect a person to fill such vacancy, in the manner prescribed in the preceding section, for the election of a Senator for a full term.

SEC. 17. Whenever, during the session of the Legislature of any State, a vacancy occurs in the representation of such State in the Senate, similar proceedings to fill such vacancy shall be had on the second Tuesday after the Legislature is organized and has notice of such vacancy.

SEC. 18. It shall be the duty of the Executive of the State, from which any Senator has been chosen, to certify his election under the seal of the State, to the President of the Senate of the United States.

SEC. 19. The certificate mentioned in the preceding section shall be countersigned by the Secretary of State of the State.

The President announced that nominations were now in order

for a United States Senator in Congress, for the term of six years, from March fourth, eighteen hundred and seventy-nine.

Mr. Pierson nominated the Hon. James T. Farley.

Mr. Norton nominated the Hon. Morris M. Estee.

Nominations closed, when, in accordance with the requirements of the section of the Act above quoted, the Secretary called the roll of the Senate, and each Senator announced the name of the person for whom he voted, as follows:

For Farley—Messrs. Angney, Beazell, Boyston, Coleman, Craig, Curtis, Donovan, Fowler, Gwin, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, and Smith—28.

For Estee—Brown of Amador, Brown of El Dorado, Crane, Dean, Evans, Flint, Goodwin, Haymond, Hilborn, Norton, Porter, and Whitney—12.

Whole number of votes cast	40
Necessary to a choice	21
James T. Farley received	28
M. M. Estee received	12

Mr. Rogers submitted a report, as follows:

SENATE CHAMBER.

December 18th, 1877. }

MR. PRESIDENT: Your Committee on Contingent Expenses, to whom was referred Senate Resolution No. 15—Authorizing the Enrolling Clerk of the Senate to employ copyists to copy all bills, and other matter ordered printed, at the price of ten cents per folio, to be paid out of the contingent fund of the Senate—have considered the same, and recommend its passage.

GEO. H. ROGERS,
M. J. DONOVAN,
A. P. WHITNEY,
W. H. CRANE,
P. W. MURPHY.

The rules were suspended, and the resolution taken up.

Resolved, That the Enrolling Clerk be and he is hereby authorized to employ copyists to copy all bills and other matter ordered printed, at the price of ten cents per folio, to be paid out of the contingent fund of the Senate.

Lost.

By Mr. Nunan:

Resolved, That one thousand copies of Senate Bill No. 23 be ordered printed.

Adopted.

ASSEMBLY MESSAGES.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER.

SACRAMENTO, December 17th, 1877. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twelfth day of December, A. D. eighteen hundred and seventy-seven, concurred in Senate Concurrent Resolution No. 10—relative to Joint Standing Rules—and the Speaker appointed, under said resolution, Messrs. Gildea, Backus, and Haile.

Also, concurred in Senate Concurrent Resolution No. 11—To appoint a joint committee upon matters touching Chinese immigration, and the Speaker appointed, under said resolution, Messrs. Anderson, Waters, and Swift.

Also, passed Assembly Bill No. 32—An Act conferring certain powers on the Board of Supervisors of Mariposa County—in employing special counsel in certain cases: and on the thirteenth

day of December passed Assembly Bill No. 5—An Act fixing the bonds of the County Treasurer of the County of Del Norte.

Also, passed Assembly Bill No. 6—An Act fixing the time of holding the County Court of Del Norte County.

Also, passed Assembly Bill No. 27—An Act supplemental to an Act to incorporate the Santa Clara Valley Agricultural Society, approved March twelfth, eighteen hundred and fifty-nine.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, December 18th, 1877. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, took a vote for United States Senator, and request your honorable body to meet in the Assembly Chamber, on Wednesday, December nineteenth, eighteen hundred and seventy-seven, at twelve o'clock m., in joint assembly, to declare the result of the vote, in accordance with the Act of Congress, approved July twenty-fifth, eighteen hundred and sixty-six, entitled an Act to regulate the time and manner of holding elections for Senators in Congress.

Also, on the fourteenth day of December, eighteen hundred and seventy-seven, passed Assembly Bill No. 20—An Act to repeal an Act entitled an Act to encourage the destruction of certain wild animals in the counties of Mendocino, Del Norte, Humboldt, Placer, Lake, San Luis Obispo, and Colusa, and to provide a bounty for the same, approved March twenty-ninth, eighteen hundred and seventy-six.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 5, and Assembly Bill No 6, above reported, each read first and second times, and referred to the delegations named in the bills.

Assembly Bill No. 27, above reported, read first and second times, rules suspended, and by general consent, read third time, and passed.

Assembly Bill No. 32, above reported, read first and second times, rules suspended, and by general consent, read third time, and passed.

Assembly Bill No. 20, above reported, read first and second times, and referred to the Senators from the counties named in the bill.

Mr. Hilborn offered a resolution, as follows:

Resolved, That, as the Senate has received the request of the Assembly to meet in joint assembly at twelve o'clock m., December nineteenth, eighteen hundred and seventy-seven, in the Assembly Chamber, for the purpose of completing the election of Senator in Congress, it accedes thereto.

Adopted, and the Secretary directed to notify the Assembly of the action of the Senate.

INTRODUCTION OF BILLS.

Bills were introduced, as follows:

By Mr. Porter—An Act to ratify and confirm an ordinance of the City of Oakland, entitled "An ordinance abandoning certain streets in East Oakland," approved May twentieth, eighteen hundred and seventy-six.

Read first and second times, and referred to the Alameda delegation.

By Mr. McGarvey—An Act to amend section fifteen hundred and sixty, and to repeal section fifteen hundred and sixty-one, of the Political Code, relating to County Institutes.

Also, an Act to amend certain sections of the Political Code, and to repeal other sections of same Code, relating to Public Schools.

Each of the above bills read first and second times, and referred to the Committee on Education.

By Mr. Haymond—An Act to amend section six hundred and eleven of the Political Code, relative to insurance.

Read first and second times, and referred to the Judiciary Committee.

Mr. McGarvey (by leave) offered a resolution, as follows:

Resolved, That the Finance Committee be requested to inquire into the expediency of so amending the Political Code as to levy State and county taxes during the month of February, in each year, and if found advisable, to report a bill for an Act providing therefor.

Referred to the Committee on Finance.

GENERAL FILE.

Senate Bill No. 45—An Act to amend an Act entitled an Act authorizing the Trustees of the San Buenaventura School District, of the County of Santa Barbara, in this State, to issue bonds for said district for the sum of ten thousand dollars.

Read third time, and passed.

Senate Bill No. 3—An Act to preserve the name of a street in the City of San Francisco.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 48—An Act to provide for the recovery of double taxation on the outside lands of the City and County of San Francisco.

Ordered engrossed.

Senate Bill No. 59—An Act relative to street repairs in the City and County of San Francisco.

Amendment adopted.

Rules suspended, considered engrossed, read third time, and passed.

ADJOURNMENT.

At one o'clock and fifteen minutes P. M., on motion of Mr. Evans, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
WEDNESDAY, December 19th, 1877. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Angney, Beazell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Pierson, Porter, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

Journal of yesterday was read and approved.

REPORTS OF STANDING COMMITTEES.

Reports were submitted, as follows:

By Mr. Lambert:

MR. PRESIDENT: The Committee on Federal Relations, to whom was referred Joint Resolution No. 9—in relation to the Stone Dry Dock at Mare Island—have had the same under consideration, and herewith report the same back to the Senate, and recommend its passage.

LAMBERT, Chairman,	} Committee.
SEARLES,	
PORTER,	
SATTERWHITE, HILBORN,	

On motion of Mr. Hilborn, the rules were suspended, and the resolution above reported taken up.

Ordered engrossed.

By Mr. Howe:

SENATE CHAMBER.
SACRAMENTO, December 19th, 1877. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 59—An Act relative to street repairs in the City and County of San Francisco.

ROBERT HOWE, for the Committee.

By Mr. McGarvey:

MR. PRESIDENT: The Committee on Judiciary, to whom was referred Senate Bill No. 7—entitled an Act to amend section three thousand six hundred and seventeen of the Political Code, defining certain terms—have had the same under consideration, and herewith report the bill back, and recommend its passage.

Also, Senate Bill No. 9—An Act to amend section seven hundred and ninety-two of the Political Code, relating to Notaries Public, and report the same back, a majority recommending its passage.

Also, Senate Bill No. 12—An Act to amend section four thousand one hundred and nine of the Political Code, and herewith report the same back with an amendment, and respectfully recommend the adoption of the amendment, and a majority recommend that the bill do not pass.

Also, Senate Bill No. 16—An Act to amend section five hundred and ninety-six of the Civil Code, and herewith report the same back, and recommend its passage.

McGARVEY, Chairman.

By Mr. Flint:

MR. PRESIDENT: The Committee on Hospitals, to whom was referred Senate Bill No. 62—An Act supplemental to an Act entitled an Act to provide for the maintenance of the indigent sick of Siskiyou County, approved April twenty-second, eighteen hundred and sixty-one—have had the same under consideration, and recommend its passage.

FLINT, for the Committee.

Mr. Rogers, Chairman of the Committee on Contingent Expenses, verbally reported Senate Bill No. 15, with the recommendation that Mr. Lewis, the author of the bill, be allowed to withdraw the same.

So ordered.

Mr. Rogers, for the same committee, verbally reported Senate Resolution No. 9, providing for the appointment of an Assistant Journal Clerk, recommending that, as there had been an Assistant appointed since the introduction of the resolution, the author be allowed to withdraw the same.

So ordered.

Mr. McGarvey submitted the following report:

MR. PRESIDENT: The delegation to whom was referred Assembly Bill No. 5—fixing the bonds of the County Treasurer of the County of Del Norte—has had the same under consideration, and now reports the same back, and recommends its passage.

Also, Assembly Bill No. 6—An Act fixing the time of holding the County Courts in the County of Del Norte, and report the same back, and recommends its passage.

McGARVEY, for the Delegation.

On motion of Mr. McGarvey, the rules were suspended, and the bills above reported taken up.

Assembly Bill No. 5.

Rules suspended, read third time, and passed.

Assembly Bill No. 6.

Rules suspended, read third time, and passed.

ASSEMBLY MESSAGE.

The following message was received from the Assembly :

ASSEMBLY CHAMBER,
SACRAMENTO, December 19th, 1877. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the eighteenth day of December, A. D. eighteen hundred and seventy-seven, concurred in Senate Concurrent Resolution No. 14—in reference to the adjournment during the holidays.

Also, amended and passed Senate Bill No. 17—An Act to ascertain and express the will of the people of the State of California upon the subject of Chinese immigration.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Senate Bill No. 17, above reported.

Assembly amendment concurred in.

Mr. Rogers, for the Committee on Joint Rules, submitted the following report:

MR. PRESIDENT: The Joint Committee on Joint Rules for Senate and Assembly recommend the adoption of the following:

GEO. H. ROGERS,	} Committee of the Senate.
E. J. LEWIS,	
W. H. BROWN,	
CHAS. GILDEA,	} Committee of the Assembly.
S. W. BACKUS,	
R. C. HAILE,	

JOINT RULES OF THE SENATE AND ASSEMBLY.

1.

Committee of Conference.

In every case of an amendment of a bill agreed to in one House and dissented from in the other, if either House shall request a conference, and appoint a committee to confer, the other House shall appoint a like committee; and such committee shall meet at a convenient hour, to be agreed upon by their respective Chairmen, and shall confer upon the differences between the two Houses, and shall report, as early as convenient, the result of their conference to their respective Houses for their action.

2.

Messages must be Announced by Doorkeeper.

When a message shall be sent from either House it shall be announced at the door by the Doorkeeper, and shall be respectfully communicated to the Chair by the person by whom it may be sent.

3.

Secretary, Clerk, etc., to Carry Messages.

Messages shall be sent by the Secretary, Clerk, or by such person as a sense of propriety of each House may determine to be proper.

4.

Notices to be on Paper under Proper Signature.

Notice of the action of either House to the other shall be on paper, and, under the signature of the Secretary or Clerk of the House from which such notice is to be conveyed.

5.

Enrolled Bills to Receive Signature of Proper Officers.

After a bill shall have passed both Houses, it shall be duly enrolled by the Enrolling Clerk of the Assembly or of the Senate, as the bill may have originated in the one or the other House, and shall first receive the signature of the presiding officer and Clerk or Secretary of the House in which it emanated, before it shall be presented to the Governor of the State.

6.

Enrolling Committee to Compare.

When bills are enrolled, they shall be examined by the Enrolling Committee of the House in which they originated, who shall carefully compare the enrollment with the engrossed bill as passed in the two Houses, and, correcting any errors that may be discovered in the enrolled bill, make their report forthwith to the House in which the bill originated, stating by whom such bill was examined.

7.

President and Speaker to Sign Bills.

After examination and report, each bill shall be signed in the respective Houses, first by the Speaker of the Assembly, then by the President of the Senate.

8.

Enrolling Committee to Present Bill to Governor.

After a bill shall have thus been signed in each House, it shall be presented, by the Enrolling Committee of the House in which it originated, to the Governor of the State for his approval (it being first indorsed on the back of the roll by the Secretary or Clerk, as the case may be, certifying in which House the bill originated). The said committee shall report the time of presentation to the Governor, which time shall be carefully entered on the Journals of the House in which the bill originated.

9.

Orders, Resolutions, and Votes, to be Approved as are Bills.

All orders, resolutions, and votes, which are to be presented to the Governor of the State for his approbation, shall also, in the same manner, be previously enrolled, examined, and signed, and shall be presented in the same manner, and by the same committee, as provided in the case of bills.

10.

Joint Addresses to Governor.

When the Senate and Assembly shall judge it proper to make a joint address to the Governor, it shall be presented to him in his audience chamber by the President of the Senate, in the presence of the Speaker and both Houses.

11.

Bill or Resolution of one House, Rejected in the Other, Requires Notice.

When a bill or resolution, which shall have passed in one House, is rejected by the other, notice thereof shall be given to the House in which the same shall have passed.

12.

Rejected Bills Require Five Days' Notice and Two-thirds Vote for Re-introduction.

When a bill or resolution, which has been passed in one House, shall be rejected in the other, it shall not be brought in during the same session without a notice of five days and leave of two-thirds of that House in which it shall be renewed.

13.

Each House to Transmit Papers.

Each House shall transmit to the other, papers on which any bill or resolution shall be founded.

14.

Disagreement, Adhered to, Defeats the Bill.

After each House shall have once adhered to their disagreement, a bill or resolution shall be lost.

15.

Bills shall not go to Governor on Last Day of Session.

No bill or resolution that shall have passed the Assembly and Senate, shall be presented to the Governor for his approval on the last day of the session.

16.

No Appropriation Except by Bill.

No appropriations of money, for any purpose whatever, shall be made except by bill.

17.

Except by Each House, Printing to be done by Concurrent Resolution.

Each House may order the printing of bills introduced and reports of its own committees, but no other printing shall be ordered except by a concurrent resolution passed by both Houses.

18.

Joint Standing Committee of Three from Each House, on Printing.

There shall be a Joint Standing Committee of three from each House, who shall examine all matter proposed to be printed by concurrent order, and shall report what part of such matter it is needful to print.

19.

Sale of Liquors prohibited in buildings under control of this Legislature.

No spirituous liquors shall be offered for sale or introduced within any portion of the building which is used for State purposes, or is under the control of this Legislature.

20.

Unanimous Consent for Extra Pay.

No extra pay nor increase in the pay of any officer or attaché of the Senate or Assembly shall be made by resolution, except by unanimous consent.

21.

All Concurrent and Joint Resolutions of a Federal Nature, treated as Bills.

All concurrent or joint resolutions which relate to or contain communications to the Federal Government, shall be treated in all respects as bills.

22.

Amendments to Amended Bills must be Attached.

Whenever a bill or resolution which shall have been passed in one House shall be amended in the other, such amendment or amendments shall be attached to the bill or resolution so amended, and indorsed "Adopted;" and such amendment or amendments, if concurred in by the House in which such bill or resolution originated, shall be indorsed "Concurred in;" and such indorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Clerk or Assistant Clerk of the Assembly, as the case may be.

The report was received, and the Joint Rules adopted.

INTRODUCTION OF BILLS.

• Bills were introduced, as follows:

By Mr. Angney—An Act to amend certain sections, and to repeal certain sections of the Political Code, concerning the salaries of the civil executive officers of the State.

Also, an Act to amend an Act entitled an Act to establish a Political Code, relative to pay of the members of the Legislature, and the officers of the two Houses.

Also, an Act to amend certain sections of the Act to establish a Political Code, concerning the salaries of judicial officers, and of officers connected with the Supreme Court.

Each of the above bills read first and second times, and referred to the Committee on Retrenchment.

By Mr. McCoppin—An Act to confer additional powers upon the

Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board.

Read first and second times, rules suspended, and the bill taken up for consideration.

Considered engrossed, and, by general consent, read third time, and passed.

Ordered to the Assembly without engrossment.

Also, an Act to amend sections two hundred and sixty-five and two hundred and sixty-six of the Code of Civil Procedure, in regard to Janitor of the Supreme Court.

Read first and second times, and referred to the Judiciary Committee.

By Mr. F. M. Brown—An Act to provide a new Great Register for the County of Amador, and re-register the votes thereof.

Read first and second times, and referred to the Judiciary Committee.

MOTIONS AND RESOLUTIONS.

Resolutions were offered, as follows:

By Mr. Hilborn:

Resolved, That the Sergeant-at-Arms of the Senate be directed to deliver no printed bills from his office, except upon the written order of a Senator, or one to a Senator personally.

Adopted.

By Mr. McCarthy:

Resolved, That Hank Jones, the Rear Porter, be allowed three days' pay—from the third to the sixth of December—payable out of the appropriation for the contingent expenses of the Senate.

Referred to the Committee on Contingent Expenses.

IN JOINT ASSEMBLY.

WEDNESDAY, December 19th, 1877, }
12 o'clock meridian. }

Pursuant to an Act of Congress, entitled "An Act to regulate the time and manner of holding elections for Senators in Congress, approved July twenty-fifth, eighteen hundred and sixty-six," the Senate and Assembly met in joint assembly, the Hon. James A. Johnson, Lieutenant-Governor and President of the Senate, in conjunction with the Hon. C. P. Berry, Speaker of the Assembly, presiding.

The roll of the Senate was called by the Secretary, and the following Senators responded:

Messrs. Angney, Beazell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McOppan, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Pierson, Porter, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

The Chief Clerk of the Assembly called the roll of the Assembly, and the following members were present:

Messrs. Abbott, Adams, Allen, Ames, Anderson, Asmussen, Backus, Barstow, Blackwell, Blake, Breen, Broderick, Brooks, Byington, Coffey, Connolly, Conroy, Cooley, Dare, DeWitt, Dimmenc, Dixon, Dorsey, Dunlap, Ellis, Ewing, Farnum, Forsyth, Garver, Giffen, Gilden, Gough, Griffith, Haile, Hanna, Hart, Haworth, Hicks, Hinshaw, Holloway, Hugg, Johnson, Kercheval, Long, Ludgate, Mace, May, Mayfield, McClure, McComas, Meyers, Miller, Moffat, Montague, Murphy of Del Norte, Murphy of San Francisco, Newley, Nott, Ostrom, Pace, Pauly, Robertson, Routier, Russ, Sargent, Sherman, Smyth, Swift, Thompson, Tobin, Tuttle, Upton, Warden, Waters, Welch, Wheat, Whitlock, Wilson, Young, and Mr. Speaker.

The President directed the Secretary of the Senate to read the Act of Congress requiring a joint assembly to be held this day.

From the official publication it was read, as follows:

Title 11. Chapter I.

U. S. Revised Statutes.

An Act to regulate the time and manner of holding elections for Senator in Congress.

[Approved July 25th, 1866.]

SECTION 14. The Legislature of each State, which is chosen next preceding the expiration of the time for which any Senator was elected to represent such State in Congress shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a Senator in Congress.

SEC. 15. Such election shall be conducted in the following manner: Each House shall openly, by a *viva voce* vote of each member present, name one person for Senator in Congress from such State, and the name of the person voted so for, who receives a majority of the whole number of votes cast in each House, shall be entered on the Journal of that House by the Clerk or Secretary thereof; or if either House fails to give such majority to any person on that day, the fact shall be entered on the Journal. At twelve o'clock, meridian, of the day following that on which proceedings are required to take place as aforesaid, the members of the two Houses shall convene in joint assembly, and the Journal of each House shall then be read, and if the same person has received a majority of all the votes in each House, he shall be declared duly elected Senator. But if the same person has not received a majority of the votes in each House, or if either House has failed to take proceedings as required by this section, the joint assembly shall then proceed to choose, by a *viva voce* vote of each member present, a person for Senator, and the person who receives a majority of all the votes of the joint assembly, a majority of all the members elected to both Houses being present and voting, shall be declared duly elected.

If no person receives such majority on the first day, the joint assembly shall meet at twelve o'clock, meridian, of each succeeding day during the session of the Legislature, and shall take at least one vote, until a Senator is elected.

SEC. 16. Whenever, on the meeting of the Legislature of any State, a vacancy exists in the representation of such State in the Senate, the Legislature shall proceed, on the second Tuesday after meeting and organization, to elect a person to fill such vacancy, in the manner prescribed in the preceding section, for the election of a Senator for a full term.

SEC. 17. Whenever, during the session of the Legislature of any State, a vacancy occurs in the representation of such State in the Senate, similar proceedings to fill such vacancy shall be had on the second Tuesday after the Legislature is organized and has notice of such vacancy.

SEC. 18. It shall be the duty of the Executive of the State, from which any Senator has been chosen, to certify his election, under the seal of the State, to the President of the Senate of the United States.

SEC. 19. The certificate mentioned in the preceding section shall be countersigned by the Secretary of State of the State.

The Secretary of the Senate read from the Journal of the Senate so much of the proceedings on Tuesday, December eighteenth—being the second Tuesday after the organization of the twenty-second session of the Legislature—as relates to a ballot for the election of a United States Senator to succeed the Hon. Aaron A. Sargent—whereby it appeared that forty Senators were present, and voted, each his choice, and that James T. Farley had received twenty-eight votes, being a majority of all the votes so cast.

The President announced that, under the vote cast in the Senate yesterday, under the Act of Congress just read, James T. Farley received twenty-eight votes, and M. M. Estee received twelve votes.

I, therefore, declare that James T. Farley received a majority of the votes of the Senate.

The Chief Clerk of the Assembly read so much of the Journal of the Assembly as related to the proceedings of that body, in regard to the election of a United States Senator, held in accordance with the Act of Congress above referred to, and it appeared that seventy-nine members of the Assembly were present and voted, each his choice, and that James T. Farley had received a majority of all the votes cast.

The Speaker announced that the whole number of votes cast in the Assembly yesterday was seventy-nine, of which James T. Farley received fifty-four votes, Mr. Estee twenty-four votes, Mr. Jackson Temple one vote, and one vote excused.

James T. Farley having received a majority of the votes cast, I declare him to be the choice of the Assembly for United States Senator.

The President of the Senate then announced that the Hon. James T. Farley, having received a majority of all the votes cast of those present and voting, in each House of the Legislature yesterday, I declare him duly elected United States Senator, for the State of California, for six years, beginning on the fourth day of March, eighteen hundred and seventy-nine.

Mr. Satterwhite moved that the reading of the proceedings in joint assembly be dispensed with, and that they be approved.

Agreed to.

At twelve o'clock and twenty minutes P. M., on motion of Mr. Evans, the joint assembly adjourned.

IN SENATE.

At twelve o'clock and twenty-five minutes P. M., the Senate re-assembled.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Angney, Beazell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Numan, Pierson, Porter, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

On motion of Mr. Pierson, and by unanimous consent, the special order set for three o'clock P. M., was now taken up.

SPECIAL ORDER.

Appointments of the Governor, as transmitted to the Senate on the seventeenth instant.

On motion of Mr. Evans, the Senate was considered as in executive session.

Upon the question, "Will the Senate advise and consent to the appointment of John A. Stanley, *vice* Barker, resigned, as one of the Trustees of the Deaf, and Dumb, and the Blind Asylum?" the roll was called, with the following result:

AYES—Messrs. Angney, Beazell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Pierson, Porter, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney—38.

NOES—None.

Whereupon the Chair announced the appointment of John A. Stanley, as a Trustee of the Asylum for the Deaf, the Dumb, and the Blind, duly confirmed.

Upon the question, "Will the Senate advise and consent to the appointment of Eugene Casserly, *vice* H. H. Haight, resigned, as a member of the Board of Regents of the University of the State of California?" the roll was called, with the following result:

AYES—Messrs. Angney, Beazell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Hilborn, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Pierson, Porter, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney—37.

NOES—None.

Whereupon the Chair announced the appointment of Eugene Casserly, as a member of the Board of Regents of the University of the State of California, duly confirmed.

Upon the question, "Will the Senate advise and consent to the appointment of George Davidson, *vice* John B. Felton, deceased, as a member of the Board of Regents of the University of the State of California?" the roll was called, with the following result:

AYES—Messrs. Angney, Beazell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Hilborn, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Pierson, Porter, Ream, Rogers, Satterwhite, Searls, Shirley, and Whitney—37.

NOES—None.

Whereupon the Chair announced the appointment of George Davidson, as a member of the Board of Regents of the University of the State of California, duly confirmed.

Upon the question, "Will the Senate advise and consent to the appointment of M. S. Horan, Brigadier-General of the Fourth Brigade, National Guard, *vice* W. T. Crowell, resigned?" the roll was called, with the following result:

AYES—Messrs. Angney, Beazell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Hilborn, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Pierson, Porter, Ream, Rogers, Satterwhite, Searls, Shirley, and Whitney—36.

NOES—None.

Whereupon the Chair announced the appointment of M. S. Horan, as Brigadier-General of the Fourth Brigade, National Guard, duly confirmed.

Upon the question, "Will the Senate advise and consent to the appointment of Charles Cadwalader, *vice* self, term expired, Brigadier-General of the Fifth Brigade, National Guard?" the roll was called, with the following result:

AYES—Messrs. Angney, Beazell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Crane, Curtis, Dean, Donovan, Flint, Fowler, Goodwin, Gwin, Hilborn, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Pierson, Porter, Ream, Rogers, Satterwhite, Searls, Shirley, and Whitney—35.

NOES—None.

Whereupon the Chair announced that the appointment of Charles Cadwalader, as Brigadier-General of the Fifth Brigade, National Guard, duly confirmed.

ADJOURNMENT.

At twelve o'clock and forty-eight minutes P. M., on motion of Mr. Fowler, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
THURSDAY, December 20th, 1877. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Angney, Beazell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Pierson, Porter, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

Journal of yesterday was read and approved.

Mr. Murphy, of San Francisco, was granted leave of absence for two days.

REPORTS OF STANDING COMMITTEES.

Reports were submitted, as follows:

By Mr. Angney:

MR. PRESIDENT: The Finance Committee, to whom was referred Senate Bill No. 65—An Act making appropriations for deficiency in the appropriation for the payment of salaries of District Judges for the twenty-eighth fiscal year—have had the same under consideration, and report it back with a favorable recommendation for passage.

ANGNEY, for Committee.

Mr. Lewis, for the Committee on Education, verbally reported Senate Bill No. 1—An Act to establish and maintain free public libraries and reading room, with a printed bill of the same number, with amendments thereto, recommending that the printed bill be substituted for the original.

Agreed to.

On motion of Mr. Lewis, the bill, with amendments, was ordered printed.

By Mr. Hill:

SENATE CHAMBER,
December 20th, 1877. }

MR. PRESIDENT: The Committee on Agriculture, to whom was referred Senate Bill No. 19—An Act to amend section three thousand six hundred and seventeen of the Political Code—have had the same under consideration, and herewith report the same back to the Senate, with a recommendation that the bill pass.

HILL, Chairman.

Mr. McGarvey, Chairman of the Judiciary Committee, verbally reported Senate Concurrent Resolution No. 8—in relation to instructing County Clerks, of certain counties of the State, to transmit certified copies of the vote polled in their counties upon the question of calling a Constitutional Convention, at the last general election, to the Secretary of State—with the recommendation that it be transmitted immediately to the Assembly.

So ordered.

By Mr. Craig:

SENATE CHAMBER,
SACRAMENTO, December 20th, 1877. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 3—An Act to preserve the name of a street in the City of San Francisco.

Also, Senate Joint Resolution No. 16—relative to the improvement of Feather River.

REAM and CRAIG, for the Committee.

By Mr. Ream:

SENATE CHAMBER,
SACRAMENTO, December 20th, 1877. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Joint Resolution No. 15—relative to the improvements of the San Joaquin River, and the erection of public buildings in the City of Stockton.

Also, Senate Joint Resolution No. 7—relative to public buildings in Sacramento, and the navigation of the Sacramento River.

Also, Senate Joint Resolution No. 9—in relation to the Stone Dry Dock at Mare Island.

D. REAM, for the Committee.

On motion of Mr. McGarvey, the rules were suspended, and Senate Joint Resolution No. 9 taken up for consideration.

Read third time, and adopted.

REPORT OF SELECT COMMITTEE.

By Mr. McGarvey:

MR. PRESIDENT: Your committee, to whom was referred Assembly Bill No. 20—An Act to repeal an Act entitled an Act to encourage the destruction of certain wild animals in the Counties of Mendocino, Del Norte, Humboldt, Placer, Lake, San Luis, Obispo, and Colusa, and to provide for a bounty for the same—have had the same under consideration, and now report the same back, and recommend its passage.

McGARVEY, for the Delegation.

On motion of Mr. McGarvey, the rules were suspended, and Assembly Bill No. 20, above reported, taken up for consideration.

Read third time, and passed.

ASSEMBLY MESSAGE.

The following message was received from the Assembly:

ASSEMBLY CHAMBER.

SACRAMENTO, December 19th, 1877. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the fourteenth day of December, A. D. eighteen hundred and seventy-seven, passed Assembly Bill No. 37—An Act to amend an Act entitled an Act to provide for the payment of the debt upon the Road Fund of Butte County, approved March twenty-seventh, eighteen hundred and seventy-six: and on this day amended and passed Senate Bill No. 2—An Act to limit and fix the rates of fare on street railroads in cities and towns of more than one hundred thousand inhabitants.

Also, adopted a substitute for Senate Concurrent Resolution No. 14—relative to printing the Governor's message.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 37, above reported.

Read first and second times, and referred to the delegation named in the bill.

Senate Bill No. 2, above reported, with amendments.

The Senate concurred in the first amendment, and refused to concur in the second amendment to the bill.

Senate Concurrent Resolution No. 14, above reported.

The Senate refused to concur in the Assembly amendment.

INTRODUCTION OF BILLS.

Bills were introduced, as follows:

By Mr. Howe—An Act for the relief of Henry F. Williams, and to provide for the payment of certain money equitably due said Williams.

Read first and second times, and referred to the San Francisco delegation.

Also, an Act concerning the water front of the City and County of San Francisco.

Read first and second times, and referred to the Committee on Navigation, and four hundred and eighty copies ordered printed.

By Mr. Nunan—An Act to define the rights of foreigners in the State of California.

Also, an Act to repeal an Act entitled an Act to regulate the practice of medicine in the State of California.

Each of the above bills read first and second times, and referred to the Judiciary Committee.

By Mr. Donovan—An Act to amend section seventy-six of the Code of Civil Procedure.

Read first and second times, and referred to the Judiciary Committee.

Also, an Act to declare Clear Lake, in Lake County, navigable.

Read first and second times, and referred to the delegations named in the bill.

Also, an Act to amend section nine hundred and sixty-nine of the Code of Civil Procedure.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Beazell—An Act to authorize the City of Oakland to deposit public moneys in any bank therein.

Read first and second times, referred to delegation, and ordered printed.

By Mr. Montgomery—An Act to amend section nine of an Act entitled an Act to separate the office of County Recorder from the office of County Clerk, and to regulate the salaries of certain officers of the County of Merced, approved March twenty-sixth, eighteen hundred and seventy-four.

Read first and second times, and referred to the Committee on Finance.

By Mr. Lambert—Preamble and Joint Resolutions relating to treaties with the Empire of China, and the immigration of Chinese subjects to the United States.

Read first and second times, and ordered printed.

Mr. Lewis moved to suspend rules to take up the resolution to place it on its third reading and passage, on which the ayes and noes were demanded by Messrs. Lambert, Norton, and Lewis, and the Senate refused, by a vote, as follows:

AYES—Messrs. Beazell, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Murphy of San Luis Obispo, and Nunan—8.

NOES—Messrs. Angney, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Montgomery, Murphy of Santa Clara, Norton, Pierson, Porter, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney—31.

The resolution was referred to the Joint Committee on Chinese Matters.

Mr. Craig submitted the following report:

SENATE CHAMBER,

SACRAMENTO, December, 20th, 1877. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find exactly engrossed, Senate Bill No. 48—An Act to provide for the recovery of double taxation on the outside lands of the City and County of San Francisco.

CRAIG, Chairman.

MOTIONS AND RESOLUTIONS.

Resolutions were offered, as follows:

By Mr. Lewis:

Resolved, That Senators Ream and Hilborn be added to the Committee on Education.

Rules suspended, and the resolution adopted.

By Mr. Haymond:

Resolved, That Senator Hill be added to the Committee on State Prison.

Rules suspended, and the resolution adopted.

By Mr. Nunan:

Resolved, That the Secretary of State be and he is hereby directed to place on the desk of each Senator a copy of the Statutes of eighteen hundred and seventy-five and seventy-six.

Adopted.

By Mr. Hilborn:

Resolved, That reporters, occupying desks on the floor of the Senate, be allowed two copies of all bills and documents printed by order of the Senate.

Adopted.

By Mr. Hilborn:

Resolved, That the Committee on Fisheries and Game be permitted to hold one or more meetings in the City of San Francisco, during the holidays' recess of the Senate, for the convenience of witnesses, residing in said city, who may desire to appear before the Committee; and that said Committee be allowed to employ a shorthand reporter, to take down and transcribe the testimony of witnesses, who shall receive for his services the fees allowed by law in civil cases.

Adopted.

By Mr. Flint:

Resolved, That his Excellency, Governor Irwin, be requested to issue his order upon the Secretary of State, to deliver to the President of the Board of Trustees of the Golden Gate Academy, Oakland, or his order, one set of the Report of the Geological Survey of this State; also, one copy of the Report on Yosemite Valley.

Adopted.

Mr. Rogers, Chairman of the Committee on Contingent Expenses, reported the following resolution, recommending its passage:

Resolved, That the sum of forty-eight dollars be and hereby is appropriated out of the appropriation for the contingent expenses of the Senate, to pay the claim of John L. Lave as a witness in the Tide Land Investigation, held during the twenty-first session of the Legislature.

Adopted.

Mr. Augney, from the Finance Committee, verbally reported Senate Bill No. 10, recommending its reference to the Committee on Retrenchment.

So referred.

GENERAL FILE.

Senate Bill No. 7—An Act to amend section three thousand six hundred and seventeen of the Political Code, defining certain terms.

On motion of Mr. Haymond, Senate Bill No. 19, same title, was taken up, to be considered at the same time.

Senate Bill No. 19.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 7.

Indefinitely postponed.

Senate Bill No. 9—An Act to amend section seven hundred and ninety-two of the Political Code, relating to Notaries Public.

Mr. Fowler moved to indefinitely postpone the bill, on which the ayes and noes were demanded by Messrs. Lewis, Nunan, and Norton; the roll was called, with the following result:

AYES—Messrs. Beazell, Boyston, Coleman, Crane, Dean, Flint, Fowler, Hilborn, Hill, Lambert, McCarthy, Norton, Pierson, Porter, Ream, Satterwhite, Searls, Shirley, and Whitney—19.

NOES—Messrs. Augney, Brown of Amador, Brown of El Dorado, Craig, Curtis, Donovan, Evans, Goodwin, Haymond, Lewis, McQuinn, McCarvey, Montgomery, Murphy of San Luis Obispo, Murphy of Santa Clara, and Nunan—16.

The bill was indefinitely postponed.

Mr. McCarthy submitted the following report:

SENATE CHAMBER.

SACRAMENTO, December 20th, 1877. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 17—An Act to ascertain and express the will of the people of the State of Cali-

fornia upon the subject of Chinese immigration—and this day, at one o'clock and forty minutes P. M., presented the same to the Governor.

T. McCARTHY, Chairman.

GENERAL FILE RESUMED.

Senate Bill No. 12—An Act to amend section four thousand one hundred and nine of the Political Code.

On motion of Mr. Lambert, the bill was made a special order for Saturday, January fifth, eighteen hundred and seventy-eight, at two o'clock P. M.

Senate Bill No. 16—An Act to amend section five hundred and ninety-six of the Civil Code.

Amended, rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 62—An Act supplemental to an Act entitled an Act to provide for the maintenance of the indigent sick of Siskiyou County, approved April twenty-second, eighteen hundred and sixty-one.

Rules suspended, considered engrossed, read third time, and passed.

ASSEMBLY MESSAGES.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER.

SACRAMENTO, December 20th, 1877. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 43—An Act to provide for the construction of the Casitas Pass road, in the County of Ventura.

Also, Senate Bill No. 75—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board.

Also, amended and passed Senate Bill No. 59—An Act relative to street repairs in the City and County of San Francisco.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER.

SACRAMENTO, December 20th, 1877. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the nineteenth day of December, A. D. eighteen hundred and seventy-seven, passed Assembly Bill No. 55—An Act to legalize and validate the assessment and assessment roll for State and county taxes, in the County of Sutter, for fiscal year commencing March, eighteen hundred and seventy-seven.

Also, Assembly Bill No. 50—An Act fixing the salary of the County Judge of Mono County.

Also, on this day, concurred in Senate Concurrent Resolution No. 8—in relation to County Clerks.

Also, that the Assembly receded from its amendment to section three of Senate Bill No. 2.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 55, above reported.

Read first and second times, and, by general consent, read third time, and passed.

Assembly Bill No. 50, above reported.

Read first and second times, and referred to the Judiciary Committee.

Senate Bill No. 59, above reported.

Assembly amendment concurred in.

ADJOURNMENT.

At two o'clock and thirty minutes P. M., on motion of Mr. Lambert, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
FRIDAY, December 21st, 1877. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Angney, Beazell, Boyston, Brown of Amador, Brown of El Dorado, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Haymond, Hilborn, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Pierson, Porter, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

The Journal of yesterday was read and approved.

Messrs. Gwin, Hill, Nunan, Montgomery, and Coleman were granted leave of absence for one day each.

Mr. McCarthy offered the following resolution:

Resolved, That his Excellency, the Governor, be and he is hereby respectfully requested to return to the Enrolling Committee of the Senate Senate Bill No. 2—An Act to limit and fix the rates of fare on street railroads in cities and towns of more than one hundred thousand inhabitants—the same having been incorrectly enrolled, and the Enrolling Committee are requested to see that the bill is properly enrolled, and delivered to the Governor immediately.

T. McCARTHY.

Adopted.

REPORTS OF STANDING COMMITTEES.

Mr. McGarvey submitted a report, as follows:

MR. PRESIDENT: The Committee on Judiciary, to whom was referred Senate Bill No. 28—An Act to amend sections twelve hundred and twenty-nine and twelve hundred and thirty of the Penal Code—have had the same under consideration, and herewith report the same back. A majority of the Committee recommend that the bill do not pass.

Also, Senate Bill No. 29—An Act to repeal section six hundred and eighty-seven of the Penal Code—and report the same back with the recommendation that it do not pass.

Also, Senate Bill No. 32—An Act to amend section six hundred and sixty-three of the Code of Civil Procedure, and recommend its passage.

Also, Senate Bill No. 42—An Act to amend section one hundred and thirteen of the Code of Civil Procedure, so as to change the time for the election of Justices of the Peace, and recommend its passage.

Also, Senate Bill No. 49—An Act entitled an Act to amend section sixteen hundred and twenty-four of the Civil Code, and recommend its passage.

McGARVEY, Chairman.

Mr. Fowler moved that the Judiciary Committee be requested to report Assembly Bill No. 50.

Carried.

Mr. Rogers, Chairman of the Committee on Contingent Expenses, verbally reported the following resolution, recommending its passage:

Resolved, That the Sergeant-at-Arms be and he is hereby authorized to appoint a Paper-folder, at a per diem of three dollars, payable out of the appropriation for the contingent expenses of the Senate, his pay to commence from the fifteenth of December.

Adopted.

Mr. Rogers, for the special committee appointed to select rooms for committees, made the following report:

MR. PRESIDENT: Your committee, appointed to apportion the several committee rooms to the different standing committees of the Senate, submit the following report, and assign the said rooms as hereinafter set forth:

- Room No. 41—Judiciary, Federal Relations, and County and County Boundaries.
- Room No. 59 (Lieutenant-Governor's)—State Prison.
- Room No. 61—Contingent Expenses, Education, Mileage, Public Morals.
- Room No. 3 (in room 60)—Enrolling Committee.
- Room No. 56—Engrossing Committee.
- Room No. 60—Corporations, and Finance.
- Room No. 55—Hospitals, Roads and Highways, Printing, and Agriculture.
- Room No. 10—Claims, Commerce and Navigation.
- Room No. 11—Internal Improvements, Mines and Mining Interests.
- Room No. 12—Public Buildings, other than Prison Buildings, Public and Swamp and Overflowed Lands.
- Room No. 13—Irrigation and Water Rights, Fisheries and Game.
- Room No. 38 (Adjutant-General's)—Military Affairs.
- Room No. 46 (State Library)—State Library Committee.

GEO. H. ROGERS,
J. LAMBERT,
R. MCGARVEY.

Mr. Crane verbally reported Assembly Bill No. 37—An Act to amend an Act entitled an Act to provide for the payment of the debt upon the Road Fund of Butte County, approved March twenty-seventh, eighteen hundred and seventy-six, recommending the passage of the bill.

Mr. McGarvey, Chairman of the Judiciary Committee, in accordance with request, verbally reported Assembly Bill No. 50—An Act fixing the salary of the County Judge of Mono County, without recommendation.

On motion of Mr. Fowler, the rules were suspended, and the bill taken up for consideration.

Read third time by general consent.

On the passage of the bill, the ayes and noes were demanded by Messrs. Evans, Norton, and Smith, and the Senate refused to pass the bill by the following vote:

Ayes—Messrs. Boyston, Brown of Amador, Brown of El Dorado, Craig, Crane, Dean, Fowler, Howe, McCarthy, McCoppin, McGarvey, Norton, and Pierson—13.

Noes—Messrs. Angney, Beazell, Curtis, Donovan, Evans, Flint, Goodwin, Lambert, Murphy of San Luis Obispo, Murphy of Santa Clara, Porter, Ream, Satterwhite, Searls, Shirley, Smith, and Whitney—17.

Mr. McCarthy submitted the following report:

SENATE CHAMBER.
SACRAMENTO, December 21st, 1877. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 75—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board.

Also, Senate Bill No. 59—An Act relative to street repairs in the City and County of San Francisco.

Also, Senate Bill No. [2]—An Act to limit and fix the rates of fare on street railroads in cities and towns of more than one hundred thousand inhabitants.

And this day, at twelve o'clock m., presented the same to the Governor.

T. McCARTHY, Chairman.

By Mr. Ream :

SENATE CHAMBER,
SACRAMENTO, December 20th, 1877. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 17—An Act to ascertain and express the will of the people of the State of California upon the subject of Chinese immigration.

Also, Senate Bill No. 2—An Act to limit and fix the rates of fare on street railroads in cities and towns of more than one hundred thousand inhabitants.

REAM and FLINT, for the Committee.

SENATE CHAMBER,
SACRAMENTO, December 21st, 1877. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 59—An Act relative to street repairs in the City and County of San Francisco.

Also, Senate Bill No. 75—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board.

Also, Senate Bill No. 16—An Act to amend section five hundred and ninety-six of the Civil Code.

Also, Senate Bill No. 62—An Act supplemental to an Act entitled an Act to provide for the maintenance of the indigent sick of Siskiyou County, approved April twenty-second, eighteen hundred and sixty-one.

REAM and FLINT, for the Committee.

SENATE CHAMBER,
SACRAMENTO, December 21st, 1877. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Concurrent Resolution No. 8—in relation to County Clerks.

REAM and FLINT, for the Committee.

By Mr. Porter :

MR. PRESIDENT: The Alameda delegation, to whom was referred Senate Bill No. 71—An Act to ratify and confirm an ordinance of the City of Oakland, entitled an ordinance abandoning certain streets in East Oakland, approved May twentieth, eighteen hundred and seventy-six—have had the same under consideration, and recommend the passage of the bill.

NATHAN PORTER,
J. BEAZELL.

December 20th, 1877.

GOVERNOR'S MESSAGE.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
SACRAMENTO, December 21st, 1877. }

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bills No. 17—An Act to ascertain and express the will of the people of the State of California upon the subject of Chinese immigration; and No. 24—An Act giving control of the bridge across the estuary of San Antonio, in the County of Alameda, to the Supervisors of said county.

WILLIAM IRWIN, Governor.

ASSEMBLY MESSAGES.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, December 21st, 1877. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the nineteenth day of December, A. D. eighteen hundred and seventy-seven, passed Assembly Bill No. 72—An Act relative to highways in Los Angeles County; and on the twentieth, passed Senate Joint Resolution No. 15—relative to the improvements of the San Joaquin River, and the erection of public buildings in the City of Stockton; and amended and passed Senate Joint Resolution No. 7—relative to public buildings in Sacramento, and the navigation of the Sacramento River.

Also, that the Assembly receded from its amendment to Senate Concurrent Resolution No. 2—relative to printing the Governor's message.

Also, that the Assembly adopted the report of the Committee on Joint Rules.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, December 21st, 1877. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twentieth day of December, A. D. eighteen hundred and seventy-seven, passed Assembly Bill No. 49—An Act to amend an Act entitled an Act in relation to roads and highways in the County of Butte, approved April third, eighteen hundred and seventy-six.

Also, passed Assembly Joint Resolution No. 6—relative to a new post-office in the City of San Francisco.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 72.

Read first and second times.

Rules suspended, and, by general consent, read third time, and passed.

Senate Joint Resolution No. 15, above reported.

Assembly amendment concurred in.

Assembly Bill No. 6, above reported.

Read first and second times, and referred to the Committee on Federal Relations.

Assembly Bill No. 49, above reported.

Read first and second times.

Rules suspended, and the bill taken up for consideration.

Amended, and, by general consent, read third time, and passed.

INTRODUCTION OF BILLS.

Bills were introduced, as follows:

By Mr. McCoppin—An Act supplementary to an Act entitled an Act to provide for the completion, in the City and County of San Francisco, known as the new City Hall, approved March twenty-fourth, eighteen hundred and seventy-six.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Hilborn—An Act to authorize the Board of Supervisors of Solano County to erect a fire-proof building for the protection of the records and papers in the offices of the County Clerk and County Recorder of said county.

Read first and second times, and referred to the delegation named in the bill, and ordered printed.

By Mr. Howe—An Act for the relief of Cook Talcott and Andrew Onderdonk.

Also, an Act to authorize the Board of State Harbor Commissioners to pay the claim of Sheldon and Graves.

Each of the above bills read first and second times, and referred to the Committee on Commerce and Navigation.

By Mr. Pierson—An Act additional to the Code of Civil Procedure, relating to relief to be afforded to third parties, whose property has been wrongfully levied upon.

Read first and second times, and referred to the Judiciary Committee.

On motion of Mr. Lambert, Senate Bill No. 79 was ordered printed.

MOTIONS AND RESOLUTIONS.

Resolutions were offered, as follows:

By Mr. Haymond:

Resolved. That Senator Crane be added to the Committee on Public and Swamp and Overflowed Lands.

Rules suspended, and the resolution adopted.

By Mr. Beazell:

Resolved. That Senator Angney be added to the Committee on State Prison.

Rules suspended, and the resolution adopted.

By Mr. Searls:

Resolved. That the Committee on Hospitals be and they are hereby authorized, at such times as they may deem proper, to visit, examine into, and report, as to the condition and management of the several asylums and hospitals receiving State aid: *provided, however,* that nothing herein contained shall be construed so as to require said Committee to visit Los Angeles, or other remote points.

Adopted.

By Mr. Ream:

Resolved. That the Hospital Committee be and they are hereby authorized to employ a Clerk, at a per diem of five dollars, payable out of the appropriation for the contingent expenses of the Senate, the per diem to commence at the date of appointment of such Clerk.

Rules suspended, and the resolution adopted.

By Mr. Donovan:

Resolved. That the Committee on Public Buildings and Grounds, other than Prison Buildings, be authorized to employ a Clerk, at a per diem of five dollars, for a term not exceeding forty days, and that the salary of such Clerk be paid out of the appropriation for the contingent expenses of the Senate.

Rules suspended, and the resolution adopted.

By Mr. Donovan:

Resolved. That the Committee on Public Buildings and Grounds are hereby instructed to visit and examine the public buildings and grounds in connection therewith, and report the condition of the same to the Senate.

Adopted.

ADJOURNMENT.

At twelve o'clock and fifty-five minutes P. M., on motion of Mr. Lewis, the Senate adjourned, when the President announced that, under a resolution heretofore adopted, the Senate had adjourned until Thursday, the third day of January, A. D. eighteen hundred and seventy-eight, at three o'clock P. M.

IN SENATE.

SENATE CHAMBER,
THURSDAY, January 3d, 1878. }

The Senate met pursuant to adjournment.

Mr. Lewis, President *pro tem.*, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Boyston, Brown of El Dorado, Coleman, Crane, Curtis, Dean, Donovan, Evans, Goodwin, Hilborn, Lewis, McGarvey, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Norton, Pierson, Porter, Ream, Rogers, Satterwhite, Searls, and Whitney.

Quorum present.

The Journal of Friday, December twenty-first, eighteen hundred and seventy-seven, was read and approved.

Leave of absence was granted to the following Senators, by general consent:

Messrs. Fowler and Lambert, for three days each.

Messrs. Hill and Flint, for two days each.

Messrs. McCarthy, Brown of Amador, Nunan, Howe, Haymond, and Gwin, for one day each.

Mr. Angney was granted indefinite leave of absence.

GOVERNOR'S MESSAGE.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
SACRAMENTO, December 21st, 1877. }

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 59—An Act relative to street repairs in the City and County of San Francisco.

No. 75—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board.

WILLIAM IRWIN, Governor.

ASSEMBLY MESSAGE.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, January 3d, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twenty-first day of December, A. D. eighteen hundred and seventy-seven, passed Senate Bill No. 3—An Act to preserve the name of a street in the City of San Francisco.

Also, amended and passed Senate Joint Resolution No. 5—relative to Chinese immigration.

CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Senate Joint Resolution No. 5, above reported, was referred to the Committee on Chinese Immigration.

INTRODUCTION OF BILLS.

Bills were introduced, as follows:

By Mr. Pierson—An Act to add a new section to the Code of Civil Procedure.

Read first and second times, and referred to Judiciary Committee.

Also, an Act to authorize the widening Dupont Street, between Bush Street and Montgomery Avenue, in the City and County of San Francisco.

Also, an Act to create a new Court in the City and County of San Francisco, to be designated as the Municipal Court of Appeals of the City and County of San Francisco.

Each of the above bills read first and second times, and referred to the San Francisco delegation.

By Mr. Pierson—An Act to authorize certain corporations to perform the duties of executors, administrators and guardians, and to execute trust in certain cases.

Read first and second times, and referred to the Judiciary Committee.

Also, an Act to repeal an Act of the Legislature of the State of California, entitled an Act to authorize the City and County of San Francisco to provide and maintain public water works for said city and county, and to condemn and purchase private property for that purpose, approved March twenty-seventh, eighteen hundred and seventy-six.

Read first and second times, and referred to the San Francisco delegation, and ordered printed.

Also, an Act to amend section five hundred and seventy-one of the Civil Code, and to add a new section to said Civil Code, to be numbered five hundred and eighty, in regard to savings and loan corporations.

Also, an Act to amend section five hundred and six of the Penal Code, in relation to embezzlement.

Also, an Act to add another section to the Civil Code, in relation to pledge of stocks in corporations, to be numbered three thousand one hundred and twelve.

Each of the above bills read first and second times, and referred to the Judiciary Committee.

By Mr. Rogers—An Act to authorize the grading and improvement of Lobos Square, in the City and County of San Francisco.

Also, an Act to authorize the Superintendent of Public Streets, Highways and Squares, in and for the City and County of San Francisco, to have the streets and sewers in said city and county cleaned.

Each of the above bills read first and second times, and referred to the San Francisco delegation, and ordered printed.

Also, by Mr. Rogers, a joint resolution, as follows:

WHEREAS, For many years, it has been the practice and settled policy of the Federal Government to allow actual settlers to acquire, by preemption and for homestead purposes, upon easy terms, limited quantities of the public lands of the nation, which policy experience has sanctioned and approved, and should be maintained and encouraged; and whereas, the Congress, in its more recent legislation, has departed from this settled policy, and enacted special laws authorizing the acquisition of large and unlimited quantities of timber, and so-called desert lands, which are now claimed and held in this State by single individuals, in tracts of many thousand acres, not for settlement, use, and occupation, but for purposes of speculation, to the great injury of actual settlers; and whereas, it is the opinion of many good citizens, that by means of doubtful affidavits, ex parte testimony, and questionable certificates, great frauds on the Government have been designedly perpetrated; and whereas, the acquisition of large tracts of the public domain by single individuals, beyond their actual necessities, or their ability personally to use and cultivate, has a tendency to retard the growth and prosperity of our State, turn from our borders actual settlers and free immigration, and in lieu thereof to further stimulate the introduction and use of coolie labor from Asia; therefore,

Resolved by the Senate and Assembly of the State of California, That our Senators in Congress be instructed, and our Representatives requested, to urge by all honorable means the immediate repeal of all laws permitting the acquisition of Government lands, unless it be by actual settlers, in limited quantities, in accordance with what has hitherto, and until recent years, been the usage and uniform policy of the nation;

And further, that a copy of these resolutions be transmitted by the Governor to the Vice-President, to our Senators and Representatives in Congress, and to the Secretary of Interior.

Read first and second times, referred to the Committee on Federal Relations, and ordered printed.

By Mr. Murphy, of San Francisco—An Act to confer additional powers upon the Board of Health of the City and County of San Francisco, and to provide for the better sanitary condition of the City and County of San Francisco.

Read first and second times, referred to the San Francisco delegation, and ordered printed.

By Mr. Rogers—A joint resolution in reference to the Presidio Reservation.

Read first and second times, rules suspended, and by general consent, read third time, and adopted.

By Mr. Porter—An Act to prohibit policemen from electioneering.

Read first and second times, and referred to the Judiciary Committee.

By Mr. McGarvey—An Act to repeal an Act entitled an Act restricting the herding of sheep to certain pastures in the Counties of Sonoma and Marin, and all Acts amendatory thereof, so far as they relate to the Counties of Mendocino and Humboldt.

Read first and second times, and referred to the delegation named in the bill.

Also, an Act to amend section forty of the Civil Code.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Murphy, of Santa Clara—An Act to amend the Civil Code concerning the mortgage of growing crops.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Montgomery—An Act to authorize the adjudication of certain claims against the State.

Read first and second times, and referred to the Judiciary Committee.

Mr. Ream submitted the following report:

SENATE CHAMBER,
SACRAMENTO, January 2d, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly

engrossed. Senate Joint Resolution No. 7—relative to public buildings in Sacramento and the navigation of the Sacramento River.

D. REAM, for the Committee.

MOTIONS AND RESOLUTIONS.

Mr. Murphy, of Santa Clara, offered the following resolution:

Resolved, That the Committee on Swamp and Overflowed and Public Lands and the Committee on Internal Improvements be authorized to employ one Clerk for both committees, at a per diem of five dollars, to be paid out of the appropriation for the contingent expenses of the Senate; said per diem to commence upon the employment of said Clerk.

Rules suspended, and the resolution adopted.

ADJOURNMENT.

At three o'clock and thirty-eight minutes P. M., on motion of Mr. Pierson, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
FRIDAY, January 4th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Boyston, Brown of El Dorado, Coleman, Craig, Curtis, Dean, Donovan, Evans, Fowler, Goodwin, Haymond, Hilborn, Howe, Lewis, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Pierson, Porter, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

The Journal of yesterday was read and approved.

Messrs. Nunan and McCarthy were granted leave of absence for two days each.

Messrs. Gwin, Brown of Amador, Lambert, and McCoppin, for one day each.

G. B. Crosby, Journal Clerk, was granted leave of absence for two days.

PRESENTATION OF PETITIONS.

Petitions were presented, as follows:

By Mr. Lewis—From teachers of Tehama County, asking the discontinuance of the use of the readers, histories, and grammars, at present prescribed for our Public Schools, and to substitute therefor the Pacific Coast series of Readers, Redpath's History of the United States, and such other grammars as may be chosen by the Committee on Education.

Received, and referred to the Committee on Education.

By Mr. Murphy, of San Francisco—From property-owners of the City and County of San Francisco, relative to Montgomery Avenue. Received, and referred to the San Francisco delegation.

ASSEMBLY MESSAGE.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, January 3d, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, adopted Assembly Concurrent Resolution No. 21, relative to committee rooms.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Concurrent Resolution No. 21, above reported, was referred to the Special Committee on Selection of Rooms.

INTRODUCTION OF BILLS.

Bills were introduced, as follows:

By Mr. Pierson—An Act to add a new section to the Code of Civil Procedure, to be numbered nine hundred and sixty.

Also, an Act to amend section eleven hundred and sixty-six of the Code of Civil Procedure, in relation to forcible or unlawful detainer.

Each of the above bills read first and second times, and referred to the Judiciary Committee.

Also, an Act to amend section three of an Act entitled an Act repealing article fourth of an Act entitled an Act to repeal the several charters of the City of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved the nineteenth day of April, eighteen hundred and fifty-six, and all Acts and parts of Acts amendatory thereof and supplementary thereto, and substituting this Act for said article four, approved April first, eighteen hundred and seventy-two.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Howe—An Act to amend section seventeen hundred and forty-six of the Political Code.

Read first and second times, and referred to the Committee on Education.

Also, an Act to confer additional powers on the Board of Supervisors of the City and County of San Francisco, to provide for the opening of Serpentine Avenue, and the condemnation of private property therefor.

Read first and second times, and referred to the San Francisco delegation, and ordered printed.

By Mr. Dean—An Act to define the powers of the Board of Supervisors of the City and County of San Francisco, with reference to contracts.

Read first and second times, and referred to the San Francisco delegation, and ordered printed.

By Mr. Porter—An Act to appropriate one hundred and seventy-five thousand five hundred dollars for the construction of buildings for the California Institution for the instruction of the Deaf, Dumb, and the Blind.

Read first and second times, and referred to the Committee on Public Buildings.

By Mr. Hilborn—An Act to amend section eight hundred and ninety-five of the Code of Civil Procedure.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Smith (by request)—An Act to change the name of Edward Herbert McDaniel to Edward Hampton Herbert.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Evans—An Act to amend section five hundred and thirty-two of the Penal Code of the State of California.

Also (by request), an Act to amend an Act entitled an Act to amend an Act entitled an Act to reincorporate the City of Stockton, approved March twenty-seventh, eighteen hundred and seventy-two, approved February twenty-eighth, eighteen hundred and seventy-four.

Each of the above bills read first and second times, and referred to the Judiciary Committee.

By Mr. Craig—An Act entitled an Act to protect life and property in this State.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Brown of El Dorado—An Act for the relief of Edward Hunt.

Read first and second times, and ordered on the general file.

MOTIONS AND RESOLUTIONS.

Mr. Haymond offered a resolution, as follows:

Resolved, That the Committee on Irrigation are authorized to sit at any time or place within this State, and that said committee shall make inquiry:

First—As to the amount of land within this State that would be benefited by irrigation.

Second—As to whether a system of irrigation can be put into operation which will tend to the reclamation of the swamp and overflowed lands, and prevent the flow of tailings and debris from the mines into the navigable waters of the State.

Third—As to the cost of such a system.

Fourth—As to such other matters as in the judgment of the committee have a bearing upon the whole matter; and be it further

Resolved, That said committee shall have full power to send for persons, and to administer oaths, and examine witnesses, and that three of said committee shall constitute a quorum: and be it further

Resolved, That said committee shall have power to employ a Sergeant-at-Arms and a Photographic Reporter.

Resolved, That said committee report to the Senate at the earliest moment the proceedings had hereunder.

Adopted.

Mr. Boyston submitted a report, as follows:

SENATE CHAMBER,

SACRAMENTO, January 4th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Joint Resolution No. 15—relative to the improvement of the San Joaquin River, and the

erection of public buildings in the City of Stockton; also, Senate Concurrent Resolution in relation to County Clerks; and this day, at eleven o'clock and thirty minutes, presented the same to the Governor.

BOYSTON, for the Committee.

GENERAL FILE.

Senate Bill No. 65—An Act making appropriations for deficiency in the appropriation for the payment of salaries of District Judges, for the twenty-eighth fiscal year.

Rules suspended, considered engrossed, read third time, and passed.

Rules further suspended, and ordered to the Assembly without engrossment.

Senate Bill No. 28—An Act to amend sections one thousand two hundred and twenty-nine and one thousand two hundred and thirty of the Penal Code.

The Senate refused to engross the bill.

Senate Bill No. 29—An Act to repeal section six hundred and eighty-seven of the Penal Code.

Mr. Evans moved to recommit the bill to the Judiciary Committee.

Lost.

The Senate refused to engross the bill.

INTRODUCTION OF BILLS.

Bills were introduced, as follows:

By Mr. Craig (by leave)—An Act to amend section one thousand three hundred and sixty-five of the Code of Civil Procedure.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Donovan—An Act for the better government of the public schools in the City and County of San Francisco.

Read first and second times.

On motion of Mr. Donovan, the rules were suspended to consider the bill on its third reading and passage.

Mr. Satterwhite moved to refer the bill to the Committee on Education, on which the ayes and noes were demanded by Messrs. Donovan, Fowler, and Crane, and the bill was so referred by the following vote:

AYES—Messrs. Coleman, Crane, Curtis, Dean, Evans, Hilborn, Lambert, McGarvey, Montgomery, Norton, Porter, Ream, Rogers, Searls, Smith, and Whitney—16.

NOES—Messrs. Boyston, Brown of El Dorado, Craig, Donovan, Fowler, Goodwin, Hammond, Lewis, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Pierson, and Shirley—13.

At one o'clock and thirty-five minutes P. M., Mr. Satterwhite moved to adjourn.

Lost.

REPORT OF COMMITTEE.

Mr. Rogers submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, January 4th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 3—An Act to preserve the name of a street in the City of San Francisco.

Also, Senate Joint Resolution No. 7—relative to public buildings in Sacramento and the navigation of the Sacramento and Feather Rivers.

And this day, at half-past one o'clock P. M., presented the same to the Governor.

GEO. H. ROGERS, of the Committee.

ADJOURNMENT.

At one o'clock and fifty-eight minutes P. M., on motion of Mr. McGarvey, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SATURDAY, January 5th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Boyston, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Fowler, Goodwin, Haymond, Howe, Lambert, Lewis, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Pierson, Ream, Rogers, Searls, Shirley, Smith, and Whitney.

Quorum present.

The Journal of yesterday was read and approved.

Messrs. Gwin, Flint, Brown of Amador, and Porter, were granted leave of absence for one day each.

PETITIONS.

Petitions were presented, as follows:

By Mr. Howe—A memorial from H. C. Kinne, indorsed by teachers of the State, in regard to the spelling book of said Kinne.

Received, and referred to the Committee on Education.

By Mr. Lewis—A petition from citizens of Tehama County, praying that hereafter the power to prescribe text-books be vested in the State Board of Education.

Received, and referred to the Committee on Education.

Also, from residents and taxpayers of the Town of Tehama, asking the repeal of an Act to prevent hogs from running at large in the Towns of Red Bluff and Tehama, County of Tehama, approved March twenty-eighth, eighteen hundred and seventy-four, so far as the same relates to the said Town of Tehama.

Received, and referred to the delegation named in the petition.

On motion of Mr. Fowler, the rules were suspended, and Messrs. Goodwin and Dean were added to the Committee on Irrigation and Water Rights.

Mr. Rogers, by leave, introduced a bill, as follows—An Act to authorize the Mayor, City and County Surveyor, and Superintendent

of Public Streets, Highways and Squares, in and for the City and County of San Francisco, to give employment to laboring men.

Read first and second times.

Mr. Rogers moved a suspension of the rules, to place the bill on its third reading and passage, which was subsequently withdrawn.

Mr. Dean moved that the bill be referred to the San Francisco delegation.

Agreed to.

The bill was so referred, and ordered printed.

REPORTS OF COMMITTEES.

Reports were submitted, as follows:

By Mr. McGarvey:

MR. PRESIDENT: The Committee on Judiciary, to whom was referred Senate Bill No. 53—An Act to repeal section sixty of the Civil Code—have had the same under consideration and herewith report the bill back, and a majority of the Committee recommend its passage.

Also, Senate Bill No. 63—An Act to supply the Town of Fresno with fresh water, and recommend that it do not pass.

Also, Senate Joint Resolution No. 13—in reference to fixing the days of election of Presidential Electors, and for the counting of their votes for President, and report the same back with an amendment, and recommend the adoption of the amendment, and the passage of the resolution as amended.

Also, Senate Bill No. 66—An Act to amend sections two hundred and seventy-five and two hundred and seventy-nine of the Code of Civil Procedure, relating to attorneys and counselors-at-law, and a majority recommend that it do not pass.

Also, Senate Bill No. 68—An Act to amend an Act in relation to the care of orphan and abandoned children, approved March seventh, eighteen hundred and seventy-four, and recommend its passage.

Also, Senate Bill No. 74—An Act to amend section six hundred and eleven of the Political Code in relation to insurance, and recommend that it do not pass.

Also, Senate Bill No. 80—An Act to amend sections two hundred and sixty-five and two hundred and sixty-six of the Code of Civil Procedure, in regard to Janitor of the Supreme Court, and recommend its passage.

Also, Senate Bill No. 39—An Act to repeal an Act entitled an Act to create a Board of Public Works in and for the City of Los Angeles, and recommend its passage.

Also, Senate Bill No. 40—An Act to ratify certain acts and proceedings of the Council of the City of Los Angeles, and recommend its passage.

Your Committee also respectfully ask leave to report herewith a bill for an Act to amend section two hundred and seventy-six of the Code of Civil Procedure, and recommend its passage, and ask that the same be placed on the General File.

McGARVEY, Chairman.

The bill above reported read first and second times, and ordered on the general file.

By Mr. Murphy, of San Francisco:

SACRAMENTO, December 19th, 1877.

MR. PRESIDENT: Your Committee on Printing, to whom was referred Senate resolution authorizing the Committee on Printing to employ a Clerk, have had the same under consideration, and beg leave to report the same back to the Senate, and recommend its passage.

J. C. MURPHY,
P. W. MURPHY.

On motion of Mr. Murphy of San Francisco, the rules were suspended to consider the resolution, which reads as follows:

Resolved, That the Printing Committee of the Senate be and they are hereby authorized to employ a Clerk, whose duty it shall be to receive all matters that are to be printed from the Secretary of the Senate, and transmit the same to the State Printer, and receive his receipt for the same; and the Clerk to also receipt to the Secretary of the Senate for all documents that may come to his hands. He shall receive the same pay as the Assistant Clerks at the desk, and drawn from the contingent fund of the Senate.

Adopted.

Mr. McCoppin, for the Committee on Claims, verbally reported Senate Bill No. 69—An Act to pay the claim of C. H. Krebs, recommending its passage.

On motion of Mr. Haymond, the rules were suspended to take the bill up for consideration.

Considered engrossed, read third time, and passed.

By Mr. McGarvey:

MR. PRESIDENT: Your Committee, to whom was referred Senate Bill No. 106—An Act to repeal an Act entitled an Act restraining the herding of sheep to certain pastures in the Counties of Sonoma and Marin, and all Acts amendatory thereof, so far as they relate to the Counties of Mendocino and Humboldt—have had the same under consideration, and report the same back, and recommend its passage.

McGARVEY, for Delegation.

ASSEMBLY MESSAGE.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,

SACRAMENTO, January 4th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twentieth day of December, A. D. eighteen hundred and seventy-seven, passed Assembly Bill No. 74—An Act to provide for the purchase of a site, and the erection of a Court-house and Jail thereon, in the County of Monterey.

Also, on the twenty-first day of December, eighteen hundred and seventy-seven, passed Assembly Joint Resolution No. 13—relative to increased postal facilities for the City of Oakland.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 74, above reported, read first and second times, and referred to the delegation named in the bill.

Assembly Joint Resolution No. 13, above reported, read first and second times, and referred to the Committee on Federal Relations.

INTRODUCTION OF BILLS.

Bills were introduced, as follows:

By Mr. Pierson—An Act to authorize the District Attorney of the City and County of San Francisco to appoint a second Assistant District Attorney.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Craig—An Act to add a new section to the Political Code, to be known as section nineteen hundred and forty-one.

Read first and second times, and referred to the Committee on Military Affairs, and ordered printed.

By Mr. Brown of El Dorado—An Act to extend the time in which John Blair, Thomas Alderson, Truman Wilcox, L. A. Garnett, Thomas Price, and F. A. Bishop, their associates and assigns, shall complete the construction of a raceway through the City of Placer-ville.

Read first and second times, and referred to the delegation named in the bill.

By Mr. Rogers—A joint resolution in reference to Point San José Reservation.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Satterwhite—A joint resolution concerning the currency.

Read first and second times, and referred to the Committee on Federal Relations.

MOTIONS AND RESOLUTIONS.

Resolutions were offered, as follows:

By Mr. Lewis:

Resolved, That the Committee on Education be authorized to employ a Clerk, at a per diem of five dollars, to commence from the date of his employment, payable out of the appropriation for the contingent expenses of the Senate.

Adopted.

By Mr. Montgomery:

Resolved by the Senate, the Assembly concurring, That a special committee be appointed, to consist of three members of the Senate and four members of the Assembly, to consider the present condition and future wants of the Yosemite Valley, and report at as early an hour as practicable to the two Houses.

Adopted.

At twelve o'clock and twenty-eight minutes P. M., Mr. Pierson moved that the Senate take a recess until one o'clock and thirty minutes P. M.

Lost.

ADJOURNMENT.

At twelve o'clock and thirty minutes P. M., Mr. McGarvey moved that the Senate do now adjourn, on which the ayes and noes were demanded by the requisite number, with the following result:

AYES—Messrs. Beazell, Bayston, Brown of El Dorado, Craig, Crane, Evans, Goodwin, Howe, Lewis, McCoppin, McGarvey, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Ream, Satterwhite, and Whitney—17.

NOES—Messrs. Coleman, Curtis, Dean, Donovan, Fowler, Haymond, Lambert, Montgomery, Murphy of San Francisco, Pierson, Rogers, Searls, and Smith—13.

Whereupon the President announced the Senate adjourned until Monday next, at eleven o'clock A. M.

IN SENATE.

SENATE CHAMBER,
MONDAY, January 7th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Boyston, Brown of Amador, Brown of El Dorado, Crane, Curtis, Donovan, Flint, Fowler, Goodwin, Haymond, Howe, Lambert, Lewis, McCoppin, McGarvey, Murphy of San Francisco, Norton, Pierson, Ream, Rogers, Satterwhite, Searls, Smith, and Whitney.

Quorum present.

The Journal of Saturday last was read and approved.

Messrs. Coleman, McCarthy, and Nunan were granted leave of absence for one day each, and Mr. Montgomery was granted indefinite leave of absence.

IM MEMORIAM.

Mr. Curtis rose in his seat and made the following remarks :

I rise this morning, Mr. President, for the purpose of discharging one of the most solemn and sad duties that it has ever fallen to my lot to discharge. I rise for the purpose of announcing to this Senate and to the State the death of the Honorable Nathan Porter, a State Senator from the County of Alameda. But two short days ago, Mr. President, brother Porter sat in his seat, full of life, and of vigor, and of energy, with his soul all alive to the interests of the people, and to-day, sir, he is lying cold, cold in death. No man could know Nathan Porter but to love him. As a lawyer, he was learned; as a statesman, he was wise; as a friend, he was sincere; as a husband, he was kind and affectionate; as a father, he was all that could be asked towards his offspring. The angel of death, Mr. President, has cast his dark shadow over this body and over the entire land. The brittle thread of life has been clipped, and our brother has gone down to the grave, full of honor. The name of Nathan Porter was a household word all over this commonwealth. He was universally beloved, and is universally mourned. All honor to his memory! Peace to his ashes. At some future day, Mr. President, it will become the duty and the pleasure of this Senate to express its feelings towards our deceased brother; but now, as a token of respect to his memory, I offer the following resolutions:

Resolved, That a committee, consisting of five Senators, be appointed by the President to escort the remains of the Honorable Nathan Porter to the City of Oakland for interment.

Resolved, That the Senate attend in a body the funeral obsequies of the Honorable Nathan Porter, on to-morrow, at Oakland, in the County of Alameda, and that Senators wear the usual badge of mourning for thirty days; and be it further

Resolved, That, as a further mark of respect for the memory of the deceased, the Senate do now adjourn until Wednesday, January ninth, at three o'clock P. M.

The resolutions were adopted unanimously, each Senator rising from his seat.

The President appointed as the committee provided for under the first resolution, Messrs. Beazell, Evans, Shirley, Dean, and P. W. Murphy.

ADJOURNMENT.

When at eleven o'clock and thirty minutes A. M. the President announced the Senate adjourned until Wednesday, the ninth instant, at three o'clock P. M.

IN SENATE.

SENATE CHAMBER,
WEDNESDAY, January 9th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Craig, Evans, Fowler, Goodwin, Haymond, Hill, McCarthy, McCoppin, Murphy of Santa Clara, Norton, Satterwhite, and Smith.

No quorum present.

At three o'clock and four minutes P. M., on motion of Mr. McCarthy, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
THURSDAY, January 10th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Evans, Flint, Fowler, Goodwin, Haymond, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Murphy of San Francisco, Murphy of Santa Clara, Norton, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

The Journal of Monday, January seventh, and also of yesterday, was read and approved.

The President announced that as a vacancy existed in the Judiciary Committee on account of the death of Senator Porter, he had appointed Senator Hilborn as a member of the Judiciary Committee to fill such vacancy.

On motion of Mr. McCoppin, the following resolution was taken up:

Resolved, That Senators Searls and Haymond be added to the Judiciary Committee.

Adopted.

PETITIONS.

Petitions were presented, as follows:

By Mr. Satterwhite—From residents and taxpayers in the City of San Diego, relative to the appointing of Water Commissioners.

Received, and referred to the Committee on Irrigation and Water Rights.

By Mr. Smith—From citizens and taxpayers of Los Angeles County, relative to the collection of taxes, and in reference to county officials.

Received, and referred to the Committee on Finance.

Also, a memorial from the Southern California Horticultural Society, asking financial aid to said society to assist it in carrying forward its work.

Received, and referred to the Committee on Agriculture.

By Mr. Murphy of San Luis Obispo—A remonstrance from School Trustees, teachers, and others, of the City of Santa Barbara, against the passage of Senate Bill No. 51.

Received, and referred to the Committee on Education.

By Mr. Ream—From citizens of Siskiyou County, relative to the protection of game.

Received, and referred to the Committee on Fisheries and Game.

By Mr. Hill—From citizens of Sonoma County, relative to the navigation of Sonoma Creek.

Received, and referred to the Committee on Commerce and Navigation.

REPORTS OF COMMITTEES.

Reports were submitted, as follows:

By Mr. Howe:

SENATE CHAMBER,
SACRAMENTO, January 10th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 69—An Act to pay the claim of C. H. Krebs.

Also, Senate Joint Resolution No. 19—in reference to the Presidio Reservation.

ROBERT HOWE, for the Committee.

Mr. Haymond, for the Sacramento delegation, verbally reported Senate Bill No. 11—An Act to amend an Act in relation to the government of the County of Sacramento, approved March thirtieth, eighteen hundred and seventy-four—with amendments, recommending its passage as amended.

By Mr. Hill:

SENATE CHAMBER,
SACRAMENTO, January 10th, 1878. }

MR. PRESIDENT: The Lake County delegation, to whom was referred Senate Bill No. 86—An Act to declare Clear Lake, in Lake County, navigable—have considered the same, and hereby report the bill back, and recommend its passage.

HILL, for the Delegation.

The bill above reported was referred to the Committee on Commerce and Navigation.

ASSEMBLY MESSAGES.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, January 5th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the fourth day of January, A. D. eighteen hundred and seventy-eight, adopted Assembly Concurrent Resolution No. 22—relative to a joint committee to consider the condition of the laboring classes.

Also, passed Assembly Bill No. 58—An Act to amend section three thousand seven hundred and sixty-four of the Political Code of this State.

Also, Assembly Bill No. 15—An Act to promote the health of the residents of the City of Sacramento.

Also, Assembly Bill No. 78—An Act to empower the Board of Supervisors of Mendocino County to sell certain road and bridge bonds, and apply the proceeds thereof.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,

SACRAMENTO, January 10th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the fifth day of January, A. D. eighteen hundred and seventy-eight, passed Senate Bill No. 62—An Act supplemental to an Act entitled an Act to provide for the maintenance of the indigent sick of Siskiyou County, approved April twenty-second, A. D. eighteen hundred and sixty-one.

Also, passed Assembly Bill No. 12—An Act to authorize the transfer of moneys of certain funds of the County of Alameda to the General Fund of said county, and provide for the payment of certain warrants, if any, now outstanding.

Also, Assembly Bill No. 40—An Act to legalize the acts of the Board of Supervisors of Lake County, in the matter of the survey and construction of the Kelley Cañon Road, in said county.

Also, Assembly Bill No. 41—An Act to fix the terms of the County and Probate Courts in and for the County of Lake.

Also, Assembly Bill No. 3—An Act to regulate fees, and fix the salaries and compensation of certain offices for the County of Colusa.

Also, Assembly Bill No. 7—An Act to authorize the Trustees of Lower Lake School District, of Lake County, to issue bonds to pay for the Nichols School building.

And on the ninth, concurred in Senate Concurrent Resolution No. 22—as to Committee on Yosemite Valley—and the Speaker appointed, under such resolution, on the part of the Assembly, Messrs. Smyth, Ames, Ewing, and Mace.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Concurrent Resolution No. 22, above reported, concurred in.

Assembly Bills Nos. 58, 12, 40, and 41, above reported.

Each read first and second times, and referred to the Judiciary Committee.

Assembly Bills Nos. 15, 78, and 3, above reported.

Each read first and second times, and referred to the delegations named in the bills.

Assembly Bill No. 7, above reported.

Read first and second times, and referred to the Committee on Education.

INTRODUCTION OF BILLS.

Bills were introduced, as follows:

By Mr. Smith—An Act to amend sections two thousand nine hundred and ten and two thousand nine hundred and fourteen of the Political Code.

Also, an Act to add a new section to the Political Code, to be numbered three thousand four hundred and ninety-one.

Also, an Act for the protection of the harbor of Wilmington.

Each of the above bills read first and second times, and referred to the Committee on Commerce and Navigation.

By Mr. Goodwin—An Act to add two new sections to the Civil Code, to be numbered sections two hundred and thirty-one and two hundred and thirty-two.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Fowler—An Act to provide for the issuance of bonds, in the County of Tulare, for the payment of the indebtedness of the said county.

Read first and second times, and referred to the Judiciary Committee, and ordered printed.

Also, an Act to regulate fees of Justices of the Peace in criminal cases, in the County of Tulare.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Ream—An Act to amend section three thousand and sixty-one of the Political Code, relative to local Boards of Health.

Read first and second times, and referred to the Committee on Hospitals.

By Mr. Evans—An Act entitled an Act to amend an Act concerning agricultural societies, approved March twelfth, eighteen hundred and fifty-nine.

Read first and second times, and referred to the Committee on Agriculture.

By Mr. Howe—An Act to repeal an Act for the appointment of Inspectors of Stationary Steam-boilers and Steam-tanks, and for the better security of life and property in the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Murphy of San Francisco—An Act to amend section two thousand five hundred and fifty-two of an Act to amend an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two, and to add a certain new section thereto, approved February twenty-eighth, eighteen hundred and seventy-six.

Read first and second times, and referred to the Committee on Commerce and Navigation.

By Mr. Pierson—An Act to amend sections one thousand and fifty-three and one thousand and fifty-five of the Political Code.

Read first and second times, rules suspended, considered engrossed, and by unanimous consent, read third time, and passed.

Ordered to the Assembly without engrossment.

By Mr. McGarvey—An Act to amend sections three hundred and ninety-six and three hundred and ninety-nine of the Code of Civil Procedure.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Haymond—An Act for the relief of Mrs. T. M. Logan.

Read first and second times, and referred to the Committee on Claims.

Also, an Act for the relief of Wells, Fargo & Co.

Read first and second times, and referred to the Committee on Finance.

Also, an Act to pay the claim of the County of Sacramento.

Read first and second times, and referred to the Judiciary Committee.

By Mr. McCoppin—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Mayor, Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board.

Read first and second times, and referred to the San Francisco delegation, and ordered printed.

MOTIONS AND RESOLUTIONS.

Resolutions were offered, as follows:

By Mr. Beazell:

WHEREAS, The Honorable Nathan Porter, Senator from Alameda County, departed this life on Saturday, the fifth instant; therefore be it

Resolved, That the Secretary of the Senate notify the Governor and Secretary of State of such fact.

Resolved, That the Secretary of the Senate take charge of all papers in the desk of the late Senator Porter, and deliver them to parties who are interested therein.

Adopted unanimously.

By Mr. Lambert:

Resolved, That the Secretary of State be requested to inform the Senate, at his earliest convenience, what measures have been taken to obtain the vote of certain counties of this State upon the question of calling a Constitutional Convention; also, what county or counties, if any, have failed to make returns of such vote to his office, together with such other information as he may possess in relation to the subject matter thereof.

Adopted.

By Mr. Haymond:

Resolved, That the Library Committee is instructed to examine two historical paintings by Nahl, now owned by John Hector, and to report to the Senate whether said pictures ought to be purchased by the State.

Adopted.

GENERAL FILE.

Senate Bill No. 32—An Act to amend section six hundred and sixty-three of the Code of Civil Procedure.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Bill No. 37—An Act to amend an Act entitled an Act to provide for the payment of the debt upon the Road Fund of Butte County, approved March twenty-seventh, eighteen hundred and seventy-six.

Read third time, and passed.

Senate Bill No. 42—An Act to amend section one hundred and thirteen of the Code of Civil Procedure, so as to change the time for the election of Justices of the Peace.

Ordered engrossed.

Senate Bill No. 71—An Act to ratify and confirm an ordinance of the City of Oakland, entitled an ordinance abandoning certain streets in East Oakland, approved May twentieth, eighteen hundred and seventy-six.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 49—An Act entitled an Act to amend section one thousand six hundred and twenty-four of the Civil Code.

Ordered engrossed.

Senate Bill No. 1—An Act to establish and maintain free public libraries and reading rooms.

Passed on file.

Subsequently referred to the Committee on Education.

Senate Bill No. 124—An Act for the relief of Edward Hunt.

Withdrawn by the author of the bill, and by general consent.

Senate Bill No. 39—An Act to repeal an Act entitled an Act to create a Board of Public Works in and for the City of Los Angeles; and Senate Bill No. 40—An Act to ratify certain acts and proceedings of the Council of the City of Los Angeles.

Rules suspended, considered engrossed, and each of the bills read third time, and passed.

Senate Bill No. 53—An Act to repeal section sixty of the Civil Code.

On the question of ordering this bill engrossed, the ayes and noes were demanded by Messrs. Evans, Norton, and McGarvey, and the Senate refused to engross the bill by the following vote:

AYES—Messrs. Brown of Amador, Craig, Crane, Dean, Evans, Flint, Goodwin, Lewis, Murphy of Santa Clara, and Smith—10.

NOES—Messrs. Coleman, Curtis, Donovan, Fowler, Haymond, Hill, Howe, Lambert, McCarthy, McCoppin, McGarvey, Murphy of San Francisco, Murphy of San Luis Obispo, Norton, Pierson, Ream, Searls, and Whitney—18.

Senate Joint Resolution No. 13—in reference to fixing the days for election of Presidential Electors, and for the casting of their votes for President.

Amendment adopted, ordered engrossed.

Senate Bill No. 63—An Act to supply the Town of Fresno with fresh water.

Withdrawn by the author, by general consent.

Senate Bill No. 66—An Act to amend sections two hundred and seventy-five and two hundred and seventy-nine of the Code of Civil Procedure, relating to attorneys and counselors-at-law.

Amended.

On the question of engrossing the bill, the ayes and noes were demanded by Messrs. Lambert, Curtis, and Smith, and it was ordered engrossed by a vote, as follows:

AYES—Messrs. Brown of Amador, Brown of El Dorado, Craig, Crane, Curtis, Dean, Evans, Flint, Goodwin, Haymond, Hilborn, Howe, Lewis, McCoppin, McGarvey, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Pierson, Rogers, Searls, and Whitney—22.

NOES—Messrs. Beazell, Coleman, Donovan, Hill, Lambert, McCarthy, Murphy of San Francisco, Nunan, Ream, Satterwhite, and Smith—11.

Senate Bill No. 68—An Act to amend an Act in relation to the care of orphan and abandoned children, approved March seventh, eighteen hundred and seventy-four.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No.—An Act to amend section six hundred and eleven of the Political Code.

On motion of Mr. Haymond, laid on the table.

Mr. McCarthy submitted the following report:

SENATE CHAMBER,
SACRAMENTO, January 9th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 43—An Act to provide for the construction of the "Casitas Pass" road, in the County of Ventura.

And this day, at eleven o'clock and thirty minutes A. M., presented the same to the Governor.

T. MCCARTHY, Chairman.

Mr. Craig, by leave, offered a resolution in reference to allowing Charles Moreno four dollars a day for acting as Messenger to the State Printing Office, to the twenty-first of December.

Referred to the Committee on Contingent Expenses.

GENERAL FILE RESUMED.

Senate Bill No. 80—An Act to amend sections two hundred and sixty-five and two hundred and sixty-six of the Code of Civil Procedure, in regard to Janitor of the Supreme Court.

Mr. McCarthy moved to refer the bill to the San Francisco delegation.

Lost.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 106—An Act to repeal an Act entitled an Act restricting the herding of sheep to certain pastures in the Counties of Sonoma and Marin, and all Acts amendatory thereof, so far as they relate to the Counties of Mendocino and Humboldt.

Also, an Act to amend section two hundred and seventy-six of the Code of Civil Procedure.

Rules suspended, considered engrossed, and each of the bills read third time, and passed.

Mr. McGarvey offered a resolution, as follows:

Resolved, That the Judiciary Committee be and it is authorized to have a daily file printed by the State Printer.

Adopted.

INTRODUCTION OF BILLS.

Bills were introduced, by leave, as follows:

By Mr. Hilborn—An Act to amend section nine hundred and ninety-seven of the Code of Civil Procedure.

Read first and second times, and referred to the Judiciary Committee.

Also, an Act to amend section three thousand three hundred and thirty-seven of the Political Code.

Read first and second times, and referred to the Committee on Corporations.

By Mr. Nunan—An Act to authorize the Board of Supervisors of the City and County of San Francisco to make provisions for any deficiency in the Street Department Fund, of the fiscal year eighteen hundred and seventy-seven and eighteen hundred and seventy-eight.

Also, an Act to authorize certain appropriations of money by the Board of Supervisors of the City and County of San Francisco.

Each of the above bills read first and second times, and referred to the San Francisco delegation:

On motion of Mr. Haymond, Senate Joint Resolution No. 5 was taken up for consideration.

ADJOURNMENT.

At one o'clock and ten minutes P. M., on motion of Mr. Goodwin, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
FRIDAY, January 11th, 1878. }

The Senate met pursuant to adjournment.

The President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Boyston, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hill, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

The Journal of yesterday was read and approved.

Mr. Dean asked to be excused from the Committee on Irrigation and Water Rights, as he would be unable to accompany the committee on their tour of investigation.

Mr. Haymond moved that Senator Evans be added to the committee, and that Mr. Dean be retained as a member.

Agreed to.

The President appointed as the committee, on the part of the Senate, under authority of Senate Concurrent Resolution No. 22, Messrs. Montgomery, Gwin, and Murphy of Santa Clara.

PETITIONS.

Petitions were presented, as follows:

By Mr. Murphy of Santa Clara—From teachers and officers in the public schools of San José, praying for a change of readers in the public schools.

Also, from members of the Board of Education of the City of San José, relative to the same subject.

Each of the above received, and referred to the Committee on Education.

REPORTS OF COMMITTEES.

Reports were submitted, as follows:

By Mr. McGarvey:

SENATE CHAMBER,
SACRAMENTO, January 11th, 1878. }

MR. PRESIDENT: Your Judiciary Committee, to whom was referred Senate Bill No. 85—An Act to amend section seventy-six of the Code of Civil Procedure—have had the same under consideration, and report it back with a recommendation that it do not pass.

Also, Senate Bill No. 84—An Act to repeal an Act entitled an Act to regulate the practice of medicine in the State of California—and recommend that it do not pass.

Also, Senate Bill No. 83—An Act to define the rights of foreigners in the State of California—and recommend that it do not pass.

Also, Senate Bill No. 87—An Act to amend section nine hundred and sixty-nine of the Code of Civil Procedure—and recommend its passage.

Also, Senate Bill No. 100—An Act to amend section five hundred and seventy-one of the Civil Code, and to add a new section to said Civil Code, to be numbered five hundred and

eighty, in regard to savings and loan corporations—report the same back with an amendment, and a majority of your committee recommend its passage as amended.

Also, Senate Bill No. 122—An Act to protect life and property in this State—report the same back with a substitute amendatory of the Penal Code, and recommend the passage of the substitute.

McGARVEY, Chairman.

By Mr. Flint:

SENATE CHAMBER,
SACRAMENTO, January 11th, 1878. }

MR. PRESIDENT: The Monterey delegation, to whom Assembly Bill No. 74 was referred—An Act to provide for the purchase of a site, and the erection of a Court-house and Jail thereon, in the County of Monterey—having considered the same, ask leave to report it back with amendments, and recommend that it be passed as amended.

FLINT, for Delegation.

Mr. Rogers, for the Committee on Contingent Expenses, verbally reported the following resolution, recommending its adoption:

Resolved, That Charles Moreno be and he is hereby allowed the sum of four dollars per day, from the third day of December, up to and including the twenty-first day of December, eighteen hundred and seventy-seven, the same being for services performed by said Moreno as Messenger between the Senate and State Printing Office, said per diem to be paid out of the appropriation for the contingent expenses of the Senate.

Adopted.

ASSEMBLY MESSAGE.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, January 11th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the ninth day of January, A. D. eighteen hundred and seventy-eight, adopted Assembly Concurrent Resolution No. 26—relative to title of bills.

Also, passed Assembly Bill No. 54—An Act to prevent hogs and goats from running at large within the limits of the town site of the Town of Weaverville, Trinity County, California.

And on January tenth, passed Senate Bill No. 16—An Act to amend section five hundred and ninety-six of the Civil Code.

Also, that the Speaker appointed, under Assembly Concurrent Resolution No. 22, on the part of the Assembly, Messrs. Dinniene, Haile, and Myers.

Also, passed Senate Bill No. 131—An Act to amend sections one thousand and fifty-three and one thousand and fifty-five of the Political Code.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Concurrent Resolution No. 26, above reported, concurred in.

Assembly Bill No 54, above reported.

Read first and second times, and referred to the delegation named in the bill.

INTRODUCTION OF BILLS.

Bills were introduced, as follows:

By Mr. Pierson—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Murphy of San Luis Obispo—An Act for the relief of

purchasers of State lands, and to cure defects in applications to purchase, and to confirm titles thereto.

By Mr. Searls—An Act to amend section six hundred and sixteen of the Political Code, relating to insurance.

Also, an Act to amend certain sections of the Civil Code, and to add certain new sections to said Code—all relating to insurance.

Also, an Act to amend sections four hundred and fifty and four hundred and fifty-one of the Civil Code, and to add two new sections to said Code, as also to repeal certain Acts—all relating to insurance.

Also, an Act to amend certain sections of the Political Code—relating to insurance.

Each of the above bills read first and second times, and referred to the Judiciary Committee.

By Mr. Nuban—An Act to amend section seven hundred and two of the Code of Civil Procedure, in relation to the redemption of property sold on execution.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Murphy of Santa Clara—An Act to amend section seven-hundred and fifty of the Political Code, concerning diplomas and State certificates.

Read first and second times, and referred to the Committee on Education.

By Mr. Lambert—An Act to amend section six of an Act entitled an Act to reincorporate the Town of Woodland, approved March twenty-fourth, eighteen hundred and seventy-four.

Read first and second times, and referred to the delegation named in the bill.

By Mr. Norton—An Act to amend section thirteen hundred and eighty-six of the Penal Code.

Also, an Act regulating the powers of the Boards of Supervisors in the several counties of this State, except the City and County of San Francisco.

Each of the above bills read first and second times, and referred to the Judiciary Committee.

By Mr. Smith—A joint resolution concerning the Southern and Civil Service policy of the President.

Read first and second times, and referred to the Committee on Federal Relations.

By Mr. Flint—An Act concerning licenses in the County of San Benito.

Read first and second times, and referred to the Committee on Finance.

Also, an Act concerning roads and highways in the County of San Benito.

Read first and second times, and referred to the Committee on Roads and Highways, and ordered printed.

By Mr. Howe—An Act in relation to warehouse and wharfinger receipts, and other matters pertaining thereto.

Read first and second times, and referred to the Committee on Commerce and Navigation.

By Mr. Donovan—An Act to furnish text-books to the pupils of the common schools of the City and County of San Francisco.

Read first and second times, and referred to the Committee on Education.

By Mr. Hill—An Act to provide for a proper display of the industries and resources of California at the French Exposition of 1878, and report upon the same.

Read first and second times, and referred to the Committee on Finance.

By Mr. Haymond—An Act to pay the claim of E. G. Jefferis.

Read first and second times, and referred to the Committee on Claims.

Also, a joint resolution relative to public lands.

Read first and second times, and referred to the Committee on Federal Relations.

MOTIONS AND RESOLUTIONS.

Resolutions were offered, as follows:

By Mr. Murphy of San Francisco:

Resolved, That his Excellency, Governor Irwin, be requested to issue his order upon the Secretary of State to deliver to the authorities of the B'nai Brith Society, for the use of the public library of said society, one set of the Reports of the Geological Survey of this State.

Adopted.

By Mr. Beazell:

Resolved, That the Secretary of the Senate, the Minute Clerk, and the two Assistant Secretaries, be allowed postage stamps to the amount of twenty-five dollars, to be equally distributed.

Adopted.

By Mr. Dean:

Resolved, That the usual number of all bills referred to the San Francisco delegation be printed, except such as have already been acted upon.

Adopted.

By Mr. Curtis:

Resolved, That S. S. Ford, Assistant Sergeant-at-Arms, be allowed the sum of thirty dollars, payable out of the contingent fund of the Senate, for money expended by him at the funeral of the late Hon. Nathan Porter.

Adopted.

By Mr. Haymond:

Resolved, That the Special Assembly Committee on Mining Debris be and they are hereby respectfully invited to join the Senate Committee on Irrigation and Water Rights, at Sacramento, and visit, with said last-mentioned committee, Nevada City, Marysville, and other points, and to participate in their investigations.

Adopted.

By Mr. Coleman:

Resolved, That the Senate Committee on Mines and Mining Interests be and they are hereby authorized to join the Committee on Irrigation and Water Rights, at Sacramento, and with said committee to visit Nevada City, and Marysville, and other points, to take testimony, gather facts relating to mining interests, and to report thereon to the Senate.

Adopted.

On motion of Mr. Fowler, one hundred additional copies of Senate Bill No. 35 were ordered printed.

Mr. Howe made the following report:

SENATE CHAMBER,
SACRAMENTO, January 11th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 80—An Act to amend sections two hundred and sixty-five and two hundred and sixty-six of the Code of Civil Procedure, in regard to Janitor of the Supreme Court.

ROBERT HOWE, for the Committee.

The President appointed Senator Norton to the Committee on Federal Relations, and Senator Haymond to the Committee on Public Printing, to fill vacancies caused by the death of Senator Porter.

The President presented a communication from the Secretary of State, submitted in compliance with Senate Resolution No. 8, and in relation to returns made by County Clerks in certain counties, in reference to the vote in such counties on the Constitutional Convention question.

Received, and referred to the Judiciary Committee.

On motion of Mr. McGarvey, Senate Bill No. 74 was taken from the table and re-referred to the Judiciary Committee.

By Mr. Murphy of San Luis Obispo.

Resolved, That all the Senators representing agricultural, mining, or industrial interests, together with the Judiciary Committee, be added to the Committee on Irrigation.

Adopted.

On motion of Mr. Hilborn, the petition presented on yesterday by Mr. Ream, relative to the protection of game, was ordered printed.

GENERAL FILE.

Senate Joint Resolution No. 5, relative to Chinese immigration.

Assembly amendments concurred in.

Mr. Smith gave notice of a motion to reconsider the vote concurring in the amendments.

Senate Bill No. 11—An Act to amend an Act in relation to the government of the County of Sacramento, approved March thirtieth, eighteen hundred and seventy-four.

Amendment adopted, rules suspended, considered engrossed, read third time, and passed.

Mr. McCarthy submitted the following report:

SENATE CHAMBER,
SACRAMENTO, January 11th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 131—An Act to amend sections one thousand and fifty-three and one thousand and fifty-five of the Political Code.

And this day, at eleven o'clock and thirty minutes A. M., presented the same to the Governor.

T. MCCARTHY, Chairman.

UNFINISHED BUSINESS.

Senate Bill No. 12—An Act to amend section four thousand one hundred and nine of the Political Code.

Mr. Goodwin moved to lay the bill on the table, on which the

aves and noes were demanded by Messrs. Haymond, Norton, and Hilborn, and the motion prevailed, by a vote, as follows:

AYES—Messrs. Beazell, Boyston, Brown of Amador, Craig, Evans, Flint, Goodwin, Lambert, Lewis, McCarthy, McCoppin, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Rogers, Satterwhite, and Shirley—19.

NOES—Messrs. Brown of El Dorado, Coleman, Crane, Curtis, Dean, Donovan, Fowler, Gwin, Haymond, Hilborn, Hill, Howe, McGarvey, Norton, Ream, Searls, Smith, and Whitney—18.

The President appointed Messrs. Pierson, Haymond, and McCoppin, the Senate members of the joint committee provided for under Assembly Concurrent Resolution No. 22, to consider the condition of the laboring classes.

ADJOURNMENT.

At twelve o'clock and thirty-five minutes P. M., on motion of Mr. Nunan, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SATURDAY, January 12th, 1878. }

The Senate met pursuant to adjournment.

Mr. Lewis, President pro tem., in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Fowler, Goodwin, Gwin, Hilborn, Hill, Howe, Lambert, Lewis, McCoppin, McGarvey, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

The Journal of yesterday was read and approved, after correcting the motion, made by Mr. Fowler, in reference to printing Senate Bill No. 35, to read "one hundred additional copies of Senate Bill No. 35."

Mr. Pierson, by leave, offered a resolution, as follows:

Resolved, That the resolution, adopted by the Senate on the fourth instant, authorizing the Committee on Irrigation to sit at any time or place within the State, and to appoint a Sergeant-at-Arms and Phonographic Reporter, be and the same is hereby rescinded.

[Mr. Evans in the chair.]

Mr. McCoppin offered an amendment,* as follows:

And the Judiciary Committee is hereby directed to prepare a bill, which shall provide for the appointment of a competent Board of Engineers, whose duty it shall be to make a topographical survey of those portions of the State susceptible of irrigation, and report the same to the Governor of this State.

Which amendment was, by leave, subsequently withdrawn, to be offered at another time as an independent motion.

Upon the question of adopting the resolution offered by Mr. Pierson, the ayes and noes were demanded by Messrs. Pierson, Norton, and Haymond, and it was adopted by a vote, as follows:

AYES—Messrs. Beazell, Boyston, Curtis, Donovan, Gwin, Hillborn, Hill, Howe, Lambert, Lewis, McCoppin, McGarvey, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Pierson, Ream, Satterwhite, Seals, Shirley, and Whitney—23.

NOES—Messrs. Brown of Amador, Brown of El Dorado, Coleman, Craig, Dean, Evans, Fowler, Goodwin, Haymond, McCarthy, and Smith—11.

PETITIONS.

Petitions were presented, as follows:

By Mr. Hill—Memorials and petitions from residents of the Counties of Alameda, Amador, Butte, Calaveras, Colusa, Contra Costa, El Dorado, Kern, Los Angeles, Merced, Monterey, Marin, Mendocino, Napa, Placer, San Bernardino, San Diego, Santa Barbara, Solano, Santa Cruz, San Joaquin, San Mateo, Sacramento, Sonoma, San Francisco, Yolo, and the State at large; relative to the California exhibit at the Paris Exhibition.

Each received and referred to the Committee on Finance.

By Mr. Murphy of Santa Clara—A petition from members of the Board of Education of the City of San José, relative to a change of school text-books.

Received, and referred to the Committee on Education.

REPORTS OF COMMITTEES.

Mr. Lewis, Chairman of the Committee on Education, submitted a report, as follows:

MR. PRESIDENT: The Committee on Education have had under consideration Senate Bill No. 51—An Act to foster home industries in the publication of text-books, and to maintain the good faith of the State, by reestablishing the contract heretofore entered into between A. L. Bancroft & Co. and the State Board of Education of the State of California—and herewith report the same back to the Senate, and a majority recommend its passage.

* * * * *

On motion of Mr. Lewis, the report was ordered printed, and the bill made the special order for Thursday, the seventeenth instant, at one o'clock P. M.

By Mr. Lambert:

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Assembly Concurrent Resolution No. 6—relative to a new Post-office in San Francisco.

Also, Assembly Resolution No. 13—relative to increased postal facilities for the City of Oakland—have had the same under consideration, and herewith report the same back, and recommend their passage.

Also, have had under consideration Senate Concurrent Resolution No. 18—relative to desert lands—and herewith report the same back, without recommendation.

LAMBERT, Chairman.

President pro tem. in the chair.

By Mr. McGarvey:

SENATE CHAMBER,
SACRAMENTO, January 12th, 1878. }

MR. PRESIDENT: Your Judiciary Committee, to whom was referred Senate Bill No. 108—An Act to amend section forty of the Civil Code—have had the same under consideration, report it back with an amendment, and recommend its passage as amended.

Also, Senate Bill No. 109—An Act to amend the Civil Code, concerning the mortgage of growing crops—report the same back with an amendment, and recommend its passage as amended.

Also, Senate Bill No. 98—An Act to authorize certain corporations to perform the duties of executors, administrators, and guardians, and to execute trusts in certain cases—report the same back without recommendation.

Also, Senate Bill No. 112—An Act to amend section one thousand one hundred and sixty-six of the Code of Civil Procedure, in relation to forcible or unlawful detainer—report the same back, and recommend its passage.

Also, Senate Bill No. 118—An Act to amend section eight hundred and ninety-five of the Code of Civil Procedure—report the same back, and recommend its passage.

Also, Senate Bill No. 95—An Act to add a new section to the Code of Civil Procedure—report the same back, and recommend its passage.

Also, Senate Bill No. 123—An Act to amend section one thousand three hundred and sixty-five of the Code of Civil Procedure—report the same back with recommendation that it do not pass.

McGARVEY, Chairman.

By Mr. Howe:

MR. PRESIDENT: The Committee on Commerce and Navigation have considered Senate Bill No. 92—An Act for the relief of Cook Talcott and Andrew Onderdonk.

Also, Senate Bill No. 93—An Act to authorize the Board of State Harbor Commissioners to pay the claim of Sheldon and Graves, report the same to the Senate and recommend their passage.

ROBERT HOWE, Chairman.

MR. PRESIDENT: The Committee on Commerce and Navigation, in accordance with the people of Sonoma, present the following bill, and recommend its passage.

ROBERT HOWE, Chairman.

On motion of Mr. Howe, the rules were suspended, and the bill above reported taken up for consideration—An Act to declare Sonoma River navigable.

Read first and second times, rules suspended, considered engrossed, and by unanimous consent, read third time, and passed.

Mr. Pierson, by leave, introduced a bill, as follows—An Act concerning the special election to be held in the Fourteenth Senatorial District on the twenty-second day of January, eighteen hundred and seventy-eight.

Read first and second times, rules suspended, considered engrossed, and by unanimous consent, read third time and passed.

Ordered to the Assembly without engrossment.

By Mr. Searls:

MR. PRESIDENT: The Committee on Corporations, having had under consideration Senate Bill No. 6—An Act to amend section three hundred and seven of the Civil Code, in relation to corporations, report the same back, and recommend that it do pass.

Also, having had under consideration Senate Bill No. 26—An Act to amend section two hundred and ninety-nine of the Civil Code—report the same back, and recommend its passage.

Also, having had under consideration Senate Bill No. 61—An Act to amend an Act entitled an Act to incorporate the Town of Alameda, approved March seventeenth, eighteen hundred and seventy-two; and an Act to amend said Act, approved March eighteenth, eighteen hundred and seventy-four; and an Act supplemental to and amendatory of both of said Acts, approved March twentieth, eighteen hundred and seventy-six—ask that it may be printed, and referred again to this committee.

NILES SEARLS, Chairman.

Senate Bill No. 61, above reported, was ordered printed, and referred to the committee.

By Mr. Hill:

SENATE CHAMBER.
SACRAMENTO, January 12th, 1878. }

MR. PRESIDENT: The Lake County delegation, to whom was referred Assembly Bill No. 7—An Act to authorize the Trustees of Lower Lake School District, of Lake county, to issue bonds to pay for the Nichols School building, herewith report the same back, with a favorable recommendation.

HILL, for Delegation.

The bill above reported was ordered on the general file.

ASSEMBLY MESSAGE.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, January 12th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the ninth day of January, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 123—An Act to provide for the payment of certain outstanding road bonds of Plumas County. And on the tenth, passed Assembly Bill No. 57—An Act to fix the terms of the several Courts of record in the County of San Mateo.

Also, Assembly Bill No. 102—An Act to authorize the Board of Supervisors to pay the claim of Abner D. Sevier, ex-Sheriff of Humboldt County.

Also, Assembly Bill No. 13—An Act to amend section four thousand and twenty-four of the Political Code.

Also, Assembly Bill No. 152—An Act to amend an Act entitled an Act to prevent persons passing through inclosures, and leaving them open by tearing down fences or otherwise, and to prevent hunting upon inclosed lands in the State of California, approved March twenty-third, eighteen hundred and seventy-six, so as to make the same applicable to the County of San Benito.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bills Nos. 123, 102, and 152, above reported, read first and second times, and referred to the delegations named in the bills.

Assembly Bill No. 57, above reported, read first and second times.

On motion of Mr. Rogers, the rules were suspended, to consider the bill now.

Read third time, and passed.

Assembly Bill No. 13, above reported, read first and second times, and referred to the Judiciary Committee.

Mr. Nunan submitted a report, as follows:

SENATE CHAMBER.
SACRAMENTO, January 12th, 1878. }

MR. PRESIDENT: The San Francisco delegation, to whom was referred Senate Bill No. 150—An Act to authorize certain appropriations of money by the Board of Supervisors of the City and County of San Francisco—have had the same under consideration, and recommend its passage.

Also, Senate Bill No. 128—An Act to authorize the District Attorney of the City and County of San Francisco to appoint a second Assistant District Attorney—have had the same under consideration, and recommend its passage.

Also, Senate Bill No. 113—An Act to amend section three of an Act entitled an Act repealing article fourth of an Act entitled an Act to repeal the several charters of the City of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved the nineteenth day of April, eighteen hundred and fifty-six, and all Acts and parts of Acts amendatory thereof and supplementary thereto, and substituting this Act for said article four, approved April first, eighteen hundred and seventy-two—have had the same under consideration, and recommend its passage.

Also, Senate Bill No. 97—An Act to create a new Court, in the City and County of San Francisco, to be designated as the Municipal Court of Appeals of the City and County of San Francisco—have had the same under consideration, and recommend its passage.

Also, Senate Bill No. 90—An Act supplementary to an Act entitled an Act to provide for the completion of the building, in the City and County of San Francisco, known as the new City Hall, approved March twenty-sixth, eighteen hundred and seventy-six—have had the same under consideration, and recommend its passage as amended.

Also, Senate Joint Resolution No. 20—relative to streets adjoining the Presidio Reservation—have had the same under consideration, and recommend its passage as amended.

Also, Senate Bill No. 99—An Act to repeal an Act of the Legislature of the State of California, entitled an Act to authorize the City and County of San Francisco to provide and maintain public water works for said city and county, and to condemn and purchase private property for that purpose, approved March twenty-seventh, eighteen hundred and seventy-six—have had the same under consideration, and recommend that it do not pass.

Also, Senate Bill No. 126—An Act to authorize the Mayor, City and County Surveyor, and Superintendent of Public Streets, Highways, and Squares, in and for the City and County of San Francisco, to give employment to laboring men—have had the same under consideration, and recommend that it do not pass.

Also, Senate Bill No. 149—An Act to authorize the Board of Supervisors of the City and County of San Francisco to make provisions for any deficiency in the Street Department Fund of the fiscal year eighteen hundred and seventy-seven-eight—have had the same under consideration, and recommend that it do not pass.

E. NUNAN, Chairman.

On motion of Mr. McCoppin, the rules were suspended to take up Senate Bill No 128, above reported, for consideration.

Considered engrossed, read third time, and passed.

Ordered to the Assembly without engrossment.

Mr. Nunan moved to suspend the rules to take up Senate Bill No. 150, above reported, to consider the same now.

On which the ayes and noes were demanded by Messrs. Fowler, Haymond, and Norton, and the Senate refused to suspend the rules, two-thirds failing to vote in the affirmative.

AYES—Messrs. Beazell, Craig, Crane, Curtis, Dean, Donovan, Evans, Haymond, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Murphy of Santa Clara, Nunan, Pierson, Rogers, Shirley, and Smith—21.

NOES—Messrs. Brown of Amador, Brown of El Dorado, Coleman, Fowler, Goodwin, Gwin, Hilborn, Norton, Ream, Searls, and Whitney—11.

Mr. Fowler offered a resolution, as follows:

Resolved by the Senate, the Assembly concurring, That the bills before the respective bodies, calling a Constitutional Convention, shall hereafter be the special order in each house from eleven A. M. until two P. M. each day, until a bill calling said Convention shall have been defeated or shall have passed both Houses: that the appropriation bills shall be the special order in each House at two P. M. until passed, and that the Legislature will adjourn *sine die* on the second Monday in February, eighteen hundred and seventy-eight, at twelve o'clock M.

Mr. Pierson moved to amend by striking out all that part of the resolution, excepting what relates to final adjournment.

Mr. Lambert moved to lay the whole matter on the table.

Carried.

INTRODUCTION OF BILLS.

Bills were introduced, as follows:

By Mr. Hilborn—An Act to amend section eight hundred and eighty-three of the Code of Civil Procedure.

Read first and second times, and referred to the Judiciary Committee.

Also, an Act to add a new section to the Civil Code, to be known as section five hundred and fifty-three.

Read first and second times, and referred to the Committee on Corporations.

By Mr. Nunan (by request)—An Act for the relief of Richard H. Stretch.

Read first and second times, and referred to the San Francisco delegation.

By Mr. McCoppin—An Act for the relief of Joseph G. Eastland, Charles E. McLane, and P. H. Canavan, late City Hall Commissioners of San Francisco.

Also, an Act to provide means for the purchase of furniture, etc., for Hall of Records, and east wing of the new City Hall building.

Also, an Act to ratify and validate a certain contract of the City and County of San Francisco.

Each of the above bills read first and second times, and referred to the San Francisco delegation.

By Mr. Craig—An Act supplemental to and amendatory of an Act entitled an Act to regulate the practice of medicine in the State of California, approved April third, eighteen hundred and seventy-six.

Read first and second times, and referred to the Judiciary Committee.

On motion of Mr. Searls, five hundred copies each of Senate Bills Nos. 153, 154, 155, and 156, were ordered printed.

Mr. Goodwin, by leave, offered a resolution, as follows:

Resolved, That Senators Pierson, Lewis, and Norton, be and they are hereby appointed a committee to visit the City of Marysville, and Wheatland, in Yuba County, and Yuba City, in Sutter County, and Oroville, in Butte County, to inquire into the effect of the debris from the mines upon the farming lands in that vicinity, and to frame a bill to meet the necessities of the farmers, and protect the rights of the miners in that regard.

On motion of Mr. Pierson, the resolution was laid on the table.

On motion of Mr. Craig, Senate Bill No. 123 was referred to the Judiciary Committee.

ADJOURNMENT.

At one o'clock and thirty-five minutes P. M., on motion of Mr. Goodwin, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
MONDAY, January 14th, 1878. }

The Senate met pursuant to adjournment.

Mr. Lewis, President pro tem., in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Evans, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McCopin, McGarvey, Montgomery, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Pierson, Ream, Rogers, Satterwhite, Shirley, Smith, and Whitney.

Quorum present.

The Journal of Saturday last was being read, when, on motion of Mr. McGarvey, the further reading was dispensed with, and the same approved.

Mr. Goodwin asked to be excused from serving as a member of the Committee on Irrigation and Water Rights.

The Senate refused to excuse Mr. Goodwin from said committee.

Messrs. Searls, Flint, and Beazell, were granted leave of absence for one day each.

INTRODUCTION OF BILLS.

Bills were introduced, as follows:

By Mr. Curtis—An Act entitled an Act to authorize the Boards of Education of the several cities and counties of the State of California to establish and maintain Labor Schools in and for said cities and counties.

Read first and second times, and referred to the Committee on Education.

Also, an Act to amend section four hundred and eighty-seven of the Penal Code.

Also, an Act to repeal sections six hundred and sixty-six, six hundred and sixty-seven, and six hundred and sixty-eight of the Penal Code.

Each of the above read first and second times, and referred to the Judiciary Committee.

By Mr. Lambert—An Act for the relief of John Hoagland and others.

Read first and second times, and, with a memorial accompanying the same, referred to the Judiciary Committee.

By Mr. Gwin—An Act to amend an Act entitled an Act to enforce the collection of poll taxes in the County of Calaveras, approved March twentieth, eighteen hundred and seventy-four.

Read first and second times, rules suspended, considered engrossed, and by unanimous consent read third time, and passed.

Ordered to the Assembly without engrossment.

Also, an Act to fix the salary of the Superintendent of Public Schools in the County of Calaveras.

Read first and second times, and referred to the Committee on Education.

By Mr. Fowler—An Act to provide for the payment of John Sutherland, Jr., for his services rendered in destroying the Vasquez banditti.

Read first and second times, and referred to the Committee on Claims.

By Mr. Smith (by request)—An Act to amend section one thousand six hundred and seventeen of the Civil Code, by increasing the powers of Trustees of school districts.

Read first and second times, and referred to the Committee on Education.

Also, an Act for the relief of George C. Knox.

Read first and second times, and referred to the Judiciary Committee.

GENERAL FILE.

Assembly Bill No. 74—An Act to provide for the purchase of a site, and the erection of a Court-house and Jail thereon, in the County of Monterey.

Amendments adopted.

Read third time, and passed.

Senate Bills Nos. 83 and 84—Each passed on file in the absence of their authors.

Senate Bill No. 85—An Act to amend section seventy-six of the Code of Civil Procedure.

The Senate refused to engross the bill.

Senate Bill No. 87—An Act to amend section nine hundred and sixty-nine of the Code of Civil Procedure.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 100—An Act to amend section five hundred and seventy-one of the Civil Code, and to add a new section to said Civil Code, to be numbered five hundred and eighty, in regard to savings and loan corporations.

On motion of Mr. Hilborn, the bill was made a special order for Tuesday, the twenty-second instant, at twelve o'clock M.

[Mr. Evans in the chair.]

Substitute for Senate Bill No. 122—An Act to add a new section to the Penal Code, to be numbered section four hundred and two.

The bill was re-referred to the Judiciary Committee.

Senate Joint Resolution No. 18—Relative to desert lands.

On motion of Mr. Rogers, the resolution was ordered at the head of the file for Wednesday next.

Senate Joint Resolution No. 20—Relative to streets adjoining the Presidio Reservation.

Amendment adopted.

Read third time, and passed.

Senate Bill No. 6—An Act to amend section three hundred and seven of the Civil Code, in relation to corporations.

Ordered engrossed.

REPORTS OF COMMITTEES.

Reports were submitted, as follows:

By Mr. McCarthy:

SENATE CHAMBER,
SACRAMENTO, January 14th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 169—An Act concerning the special election to be held in the Fourteenth Senatorial District on the twenty-second January, eighteen hundred and seventy-eight.

And this day, at eleven o'clock and fifteen minutes A. M., presented the same to the Governor.

T. MCCARTHY, Chairman.

By Mr. Ream:

SENATE CHAMBER,
SACRAMENTO, January 14th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 106—An Act to repeal an Act entitled an Act respecting the herding of sheep to certain pastures in the Counties of Sonoma and Marin, and all Acts amendatory thereof, so far as they relate to the Counties of Mendocino and Humboldt.

Also, Senate Bill No. 68—An Act to amend an Act in relation to the care of orphan and abandoned children, approved March seventh, eighteen hundred and seventy-four.

Also, Senate Bill No. 32—An Act to amend section six hundred and sixty-three of the Code of Civil Procedure.

Also, Senate Bill No. 127—An Act to amend section two hundred and seventy-six of the Code of Civil Procedure.

Also, Senate Bill No. 42—An Act to amend section one hundred and thirteen of the Code of Civil Procedure, so as to change the time for the election of Justices of the Peace.

Also, Senate Bill No. 71—An Act to ratify and confirm an ordinance of the City of Oakland entitled an ordinance abandoning certain streets in East Oakland, approved May twentieth, eighteen hundred and seventy-six.

Also, Senate Bill No. 40—An Act to ratify certain acts and proceedings of the Council of the City of Los Angeles.

Also, Senate Bill No. 39—An Act to repeal an Act entitled an Act to create a Board of Public Works in and for the City of Los Angeles.

Also, Senate Bill No. 49—An Act entitled an Act to amend section sixteen hundred and twenty-four of the Civil Code.

Also, Senate Joint Resolution No. 13—In reference to fixing the days for election of Presidential Electors, and for the casting of their votes for President.

D. REAM, for the Committee.

GOVERNOR'S MESSAGE.

On motion of Mr. Pierson, a message in possession of the Senate from the Governor, containing appointments of Port Wardens, Pilot Commissioners, Trustees of the Deaf, the Dumb, and the Blind Asylum, and Regents of the University, was made a special order for Wednesday, the sixteenth instant, at twelve o'clock M.

GENERAL FILE RESUMED.

Senate Bill No. 26—An Act to amend section two hundred and ninety-nine of the Civil Code.

Amended.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 90—An Act supplementary to an Act entitled an Act to provide for the completion of the building in the City and County of San Francisco, known as the new City Hall, approved March twenty-fourth, eighteen hundred and seventy-six.

Re-referred to the San Francisco delegation.

Senate Bill No. 97—An Act to create a new Court in the City and County of San Francisco, to be designated as the Municipal Court of Appeals of the City and County of San Francisco.

Re-referred to the San Francisco delegation, with instructions to report on or before Monday next.

Senate Bill No. 92—An Act for the relief of Cook Talcott and Andrew Onderdonk.

Rules suspended, considered engrossed, read third time, and passed.

[President pro tem. in the chair.]

Senate Bill No. 93—An Act to authorize the Board of State Harbor Commissioners to pay the claim of Sheldon and Graves.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 95—An Act to add a new section to the Code of Civil Procedure.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 98—An Act to authorize certain corporations to perform the duties of executors, administrators and guardians, and to execute trusts in certain cases.

And Senate Bill No. 99—An Act to repeal an Act of the Legislature of the State of California, entitled an Act to authorize the City and County of San Francisco to provide and maintain public water works for said city and county, and to condemn and purchase private property for that purpose, approved March twenty-seventh, eighteen hundred and seventy-six.

Each withdrawn by Mr. Pierson, the author of the bills, and by general consent.

Senate Bill No. 108—An Act to amend section forty of the Civil Code.

Amendment adopted.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 109—An Act to amend the Civil Code concerning the mortgage of growing crops.

Referred to the Committee on Agriculture.

ASSEMBLY MESSAGES.

On motion of Mr. Evans, the following Assembly messages were taken up:

ASSEMBLY CHAMBER,
SACRAMENTO, January 14th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the eleventh day of January, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 163—An Act to make the provisions of an Act concerning hogs found running at large in certain counties in this State, approved April twenty-first, eighteen hundred and fifty-six, and amending the title thereof, approved March twenty-sixth, eighteen hundred and sixty-three, applicable to the County of San Benito.

Also, Assembly Bill No. 118—An Act to amend section one thousand seven hundred and seventy-four of the Code of Civil Procedure.

Also, Assembly Bill No. 140—An Act to amend the Civil Code with respect to the measure of damages in certain cases.

Also, Assembly Bill No. 85—An Act to amend section three thousand four hundred and sixty-eight of the Political Code.

Also, Assembly Bill No. 79—An Act to legalize the incorporation of the Town of Anaheim.

Also, Assembly Bill No. 170—An Act authorizing John Panett, Samuel Clark, J. L. Veagle, Rufus Franklin, William Heurt, Robert Boice, D. P. McNeil, their associates and assigns, to construct, maintain, complete, and repair certain levees in San Joaquin County.

Also, Assembly Bill No. 96—An Act to incorporate the City of Sonora, Tuolumne County.

Also, Assembly Bill No. 167—An Act to incorporate the Town of Mendocino, Mendocino County, California.

Also, passed on the twelfth instant, Senate Bill No. 169—An Act concerning the special election to be held in the Fourteenth Senatorial District on the twenty-second day of January, eighteen hundred and seventy-eight.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, January 14th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that Prof. George Davidson will lecture on irrigation in the Assembly Chamber, Tuesday evening, January fifteenth, eighteen hundred and seventy-eight, pursuant to the request of the Assembly, and the Senate is respectfully invited to attend.

E. L. CRAWFORD, Assistant Clerk.

[Mr. Howe in the chair.]

CONSIDERATION OF ASSEMBLY MESSAGES.

The Senate accepted the invitation of the Assembly to attend the lecture of Prof. Davidson.

Assembly Bills Nos. 118, 140, and 85, above reported, each read first and second times, and referred to the Judiciary Committee.

Assembly Bill No. 79, above reported, read first and second times, and referred to the Los Angeles delegation.

Assembly Bills Nos. 170 and 96, above reported, each read first and second times, rules suspended, and, by unanimous consent, the bills read third time, and passed.

Assembly Bills Nos. 167 and 163, above reported, read first and second times, and referred to the delegation named in the bill.

[The President in the chair.]

GOVERNOR'S MESSAGE.

On motion of Mr. Pierson, the following message from the Governor was taken up:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
SACRAMENTO, January 14th, 1878. }

To the Senate and Assembly of the State of California:

I have the honor to inform your honorable bodies that I am in receipt of a communication—which is herewith transmitted—from the Honorable D. W. Baoralis, Consul for Italy at San

Francisco, giving official information of the death of Victor Emanuel, late King of Italy, and making request that the flag of the Capitol be placed at half-mast during to-morrow, the day fixed on for the funeral ceremonies of the illustrious dead. The communication is respectfully referred to your honorable bodies, with the request that you take such action as you may deem the occasion requires.

WILLIAM IRWIN, Governor.

The communication was read, as follows :

SAN FRANCISCO, January 12th, 1878.

SIR: The official information of the death of H. H. Victor Emanuel II, King of Italy, having reached me, I should consider it a special favor if, as a mark of sympathy for the stricken royal family, and the bereaved Italian people, as well as a token of the friendly relations existing between the two countries, you should cause, on Tuesday, the fifteenth instant (the day fixed at Rome for the funeral of the illustrious dead), the American flag to hang at half-mast on the Government buildings.

I am, of your Excellency, the most obedient servant,

D. W. BAORALIS, Consul for Italy.

To his Excellency, William Irwin, Governor of the State of California.

Mr. Pierson offered a resolution, as follows :

Resolved by the Senate, the Assembly concurring, That the flag upon the Capitol building be lowered at half-mast during Tuesday, the fifteenth day of January, as a mark of respect to the memory of Victor Emanuel, late King of Italy.

Mr. Murphy of Santa Clara moved to refer the whole matter to the Committee on Federal Relations.

Lost.

The resolution was adopted unanimously.

GENERAL FILE RESUMED.

Senate Bill No. 112—An Act to amend section one thousand one hundred and sixty-six of the Code of Civil Procedure, in relation to forcible or unlawful detainer.

Ordered engrossed.

Senate Bill No. 113—An Act to amend section three of an Act entitled an Act repealing Article Fourth of an Act entitled an Act to repeal the several charters of the City of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved the nineteenth day of April, eighteen hundred and fifty-six, and all Acts and parts of Acts amendatory thereof and supplementary thereto, and substituting this Act for said Article Fourth, approved April first, eighteen hundred and seventy-two.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 118—An Act to amend section eight hundred and ninety-five of the Code of Civil Procedure.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 126—An Act to authorize the Mayor, City and County Surveyor, and Superintendent of Public Streets, Highways, and Squares, in and for the City and County of San Francisco, to give employment to laboring men.

Reported from the Committee of the Whole, with an amendment, and with a recommendation that the bill be indefinitely postponed.

Mr. Evans moved that the bill be recommitted to the San Francisco delegation, to be considered in connection with another bill upon the same subject; on which the ayes and noes were demanded by Messrs. Rogers, Donovan, and Norton.

The roll was called, with the following result:

AYES—Messrs. Brown of El Dorado, Evans, Fowler, Goodwin, Haymond, Hilborn, Howe, Lewis, McCoppin, Montgomery, Murphy of San Luis Obispo, Murphy of Santa Clara, Ream, Shirley, and Whitney—15.

NOES—Messrs. Brown of Amador, Coleman, Craig, Curtis, Dean, Donovan, Flint, Gwin, Hill, Lambert, McCarthy, Norton, Pierson, Rogers, and Smith—15.

The motion was lost, a majority failing to vote in the affirmative.

On the question of indefinite postponement, the ayes and noes were demanded by Messrs. Rogers, Norton, and Donovan, and the bill was indefinitely postponed, by a vote, as follows:

AYES—Messrs. Brown of Amador, Coleman, Craig, Curtis, Dean, Evans, Flint, Fowler, Goodwin, Gwin, Hilborn, Howe, McCarthy, McCoppin, Montgomery, Murphy of San Luis Obispo, Murphy of Santa Clara, Pierson, Ream, Shirley, and Whitney—21.

NOES—Messrs. Brown of El Dorado, Donovan, Haymond, Hill, Lambert, Lewis, Norton, Rogers, and Smith—9.

On motion of Mr. McCarthy, all the absentees were granted leave of absence.

ADJOURNMENT.

At two o'clock and five minutes P. M., on motion of Mr. Evans, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
TUESDAY, January 15th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCoppin, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Smith, and Whitney.

Quorum present.

The Journal of yesterday was read and approved.

Messrs. Evans and Shirley were granted leave of absence for one day each.

REPORTS.

Reports were submitted, as follows:

By Mr. Howe:

SENATE CHAMBER,
SACRAMENTO, January 15th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 66—An Act to amend sections two hundred and seventy-five and two hundred and seventy-nine of the Code of Civil Procedure, relating to attorneys and counselors-at-law.

Also, Senate Bill No. 11—An Act to amend an Act in relation to the government of the County of Sacramento, approved March thirtieth, eighteen hundred and seventy-four.

Also, Senate Bill No. 168—An Act to declare Sonoma River navigable.

Also, Senate Joint Resolution No. 5—Relative to Chinese immigration.

Also, Senate Bill No. 6—An Act to amend section three hundred and seven of the Civil Code, in relation to corporations.

ROBERT HOWE, for the Committee.

By Mr. Flint:

MR. PRESIDENT: The Committee on Hospitals, to whom was referred Senate Bill No. 138—An Act to amend section three thousand and sixty-one of the Political Code, relating to local Boards of Health—having had the same under consideration, ask leave to report the same back, and recommend its passage.

FLINT, for Committee.

Also:

MR. PRESIDENT: The San Benito delegation, to whom was referred Assembly Bill No. 152—An Act to amend an Act entitled an Act to prevent persons passing through inclosures, and leaving them open, by tearing down fences or otherwise, and to prevent hunting upon inclosed lands in the State of California, approved March twenty-third, eighteen hundred and seventy-six, so as to make the same applicable to the County of San Benito—having had the same under consideration, reports the same back, recommending its passage.

FLINT, Delegation.

GOVERNOR'S MESSAGES.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,)
SACRAMENTO, January 15th, 1878. }

To the Senate and Assembly of the State of California:

Section five of an Act entitled an Act to provide for an examination into the sale and disposal of State lands, approved April first, eighteen hundred and seventy-six, provided that the Commissioners who should be appointed under said Act should make a full and complete report of all their proceedings to the Legislature at its next regular session.

The Commissioners have placed their report in my hands, with the request that I submit it to the Legislature, which I now herewith have the honor to do.

WILLIAM IRWIN, Governor.

On motion of Mr. Murphy of San Francisco, the Governor's message and report were referred to the Committee on Public Lands.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,)
SACRAMENTO, January 15, 1878. }

To the Senate and Assembly of the State of California:

Section seven of the Act entitled an Act to provide for the appointment of Commissioners of Transportation, to fix the maximum charges for freights and fares, and to prevent extortion and discrimination on railroads in this State, passed April third, eighteen hundred and seventy-six, provides that the Commissioners appointed under the Act shall draft all such bills as they may desire to recommend for passage. In pursuance of this provision of the law, the Commissioners have drafted a series of bills which I now have the honor to submit to the Legislature.

I have the honor, also, to submit a supplementary report of the Commissioners to the Legislature, in which the object and scope of several bills, now presented, are briefly outlined.

* * * * *

WILLIAM IRWIN, Governor.

On motion of Mr. Lewis, the message was ordered printed, and the report with bills were referred to the Committee on Corporations.

ASSEMBLY MESSAGE.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, January 15th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the fourteenth day of January, A. D. eighteen hundred and seventy-eight, passed Assembly Joint Resolution No. 11—Relative to encouragement of rifle practice in the Army of the United States, and military of the several States.

Also, Assembly Bill No. 65—An Act to amend section sixty of the Civil Code.

Also, Assembly Bill No. 80—An Act to amend section eight hundred and eighty-two of the Penal Code.

Also, Assembly Bill No. 33—An Act to amend section two thousand eight hundred and thirty-two of the Civil Code.

Also, Assembly Bill No. 104—An Act to amend section five of an Act entitled an Act to reorganize the Board of Supervisors of San Luis Obispo County, and to provide for the election of the same.

Also, Assembly Bill No. 84—An Act in relation to roads and highways in San Diego County.

Also, Assembly Bill No. 17—An Act to amend section three thousand six hundred and seventeen of the Political Code, defining certain terms.

Also, Assembly Bill No. 107—To amend section two hundred and fifty-nine of the Code of Civil Procedure.

Also, Senate Bill No. 181—An Act to amend an Act entitled an Act to enforce the collection of poll taxes in the County of Calaveras, approved March twentieth, eighteen hundred and seventy-four.

And refused to concur in Senate Concurrent Resolution No. 25—In reference to the death of Victor Emanuel, late King of Italy.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Joint Resolution No. 11, above reported.

Read first and second times, and referred to the Military Committee.

Assembly Bills Nos. 65, 80, 107, and 35, above reported.

Each read first and second times, and referred to the Judiciary Committee.

Assembly Bill No. 104, above reported.

Read first and second times, and referred to the delegation named in the bill.

Assembly Bill No. 84, above reported.

Read first and second times, and ordered on general file.

Assembly Bill No. 17, above reported.

Read first and second times, rules suspended, and the bill taken up for consideration.

Amended, and, on motion of Mr. Lambert, referred to the Judiciary Committee.

MOTIONS AND RESOLUTIONS.

Resolutions were offered, as follows:

By Mr. Hilborn:

Resolved, That the Assembly be requested to return to the Senate Senate Bill No. 19.

Adopted.

By Mr. Montgomery:

Resolved, That the Judiciary Committee be requested to inquire into the present status of the trespass law, or laws to protect agriculture, and report such amendments as in their judgment the case may require.

Adopted.

By Mr. McCoppin:

Resolved, That Senators Curtis and Hill be and are hereby added to the Finance Committee.

Adopted.

By Mr. Satterwhite:

Resolved, That the Committee on Irrigation and Water Rights be authorized to employ a Clerk at a per diem of five dollars, payable out of the appropriation of the contingent expenses of the Senate.

Adopted.

By Mr. Dean—A joint resolution in relation to the Trans-continental Railroad.

Read first and second times, and referred to the Committee on Corporations.

Subsequently, Mr. Dean moved to reconsider the reference, and that the resolution be referred to the Committee on Federal Relations.

On which the ayes and noes were demanded by the requisite number, and it was so referred, by the following vote: •

AYES—Messrs. Brown of Amador, Coleman, Curtis, Dean, Flint, Goodwin, Gwin, Haymond, Hilborn, Hill, Lewis, McCoppin, Montgomery, Murphy of San Luis Obispo, Murphy of Santa Clara, Pierson, Ream, Searls, and Smith—19.

NOES—Messrs. Beazell, Boyston, Brown of El Dorado, Crane, Fowler, Howe, Lambert, McCarthy, Murphy of San Francisco, Norton, Nunan, Rogers, Satterwhite, and Whitney—14.

INTRODUCTION OF BILLS.

Bills were introduced, as follows:

By Mr. Murphy of San Francisco—An Act in relation to the office of Sheriff of the City and County of San Francisco.

By Mr. Pierson—An Act to amend section sixty-eight of an Act entitled an Act to repeal the several charters of the City of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved April nineteenth, eighteen hundred and fifty-six.

Each of the above bills read first and second times, and referred to the San Francisco delegation.

By Mr. Fowler—An Act to provide a new Great Register for the County of Tulare, and to re-register the voters thereof.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Whitney—An Act to amend an Act entitled an Act to widen English Street, in the City of Petaluma, and to take private lands therefor, approved March twenty-fifth, eighteen hundred and seventy-six.

Read first and second times, and referred to the delegation named in the bill.

By Mr. Murphy of Santa Clara—An Act to appropriate money for the improvement of the grounds of the State Normal School, and for repairing the Normal School building.

Read first and second times, and referred to the Committee on Public Buildings and Grounds.

By Mr. Norton—An Act to amend an Act entitled an Act to prevent hogs and goats running at large on certain lands in this State, approved March thirty-first, eighteen hundred and seventy-six.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Brown of El Dorado—An Act to amend section two thousand one hundred and eighty of the Civil Code.

Read first and second times, and referred to the Committee on Corporations.

By Mr. McCarthy—An Act to amend the Political Code respecting the health and quarantine regulations for the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Hilborn—A joint resolution memorializing Congress to abolish the duty on grain bags, and the materials of which they are made.

Read first and second times, and referred to the Committee on Federal Relations.

GENERAL FILE.

Senate Bill^a No. 83.

Passed on file.

Senate Bill No. 84—An Act to repeal an Act entitled an Act to regulate the practice of medicine in the State of California.

Referred to the Committee on Hospitals.

Senate Bill No. 149—An Act to authorize the Board of Supervisors of the City and County of San Francisco to make provisions for any deficiency in the Street Department Fund of the fiscal year eighteen hundred and seventy-seven and eighteen hundred and seventy-eight.

Indefinitely postponed, on motion of Mr. Nunan, the author of the bill.

Senate Bill No. 150—An Act to authorize certain appropriations of money by the Board of Supervisors of the City and County of San Francisco.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Bill No. 7—An Act to authorize the Trustees of the Lower Lake School District of Lake County to issue bonds to pay for the Nichols School building.

Read third time, and passed.

Assembly Concurrent Resolution No. 6—Relative to a new Post-office in San Francisco.

Read third time, and passed.

Assembly Concurrent Resolution No. 13—Relative to increased postal facilities for the City of Oakland.

Read third time, and passed.

Senate Bill No. 42—An Act to amend section one hundred and thirteen of the Code of Civil Procedure, so as to change the time for the election of Justices of the Peace.

Mr. Goodwin moved to lay the bill on the table.

Lost.

Read third time, and passed.

Senate Bill No. 49—An Act entitled an Act to amend section one thousand six hundred and twenty-four of the Civil Code.

Read third time, and passed.

Title amended.

Senate Joint Resolution No. 13—In reference to fixing the days for

election of Presidential Electors, and for the casting of their votes for President.

Mr. Montgomery moved to refer the resolution to the Committee on Federal Relations.

Lost.

Read third time, and passed.

Mr. Nunan, by general consent, was permitted to withdraw from the possession of the Senate Senate Bill No. 149.

INTRODUCTION OF BILLS.

Bills were introduced, as follows:

By Mr. Haymond—An Act to provide for the payment of the claim of John H. Carroll against the State of California.

Read first and second times, and referred to the Committee on Claims.

Also, an Act to amend section thirteen hundred and thirty of the Penal Code, in relation to witnesses.

Read first and second times, and referred to the Sacramento delegation.

Also, an Act to provide for the payment of certain outstanding road warrants in Sacramento County.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Brown of El Dorado—An Act to amend section seventeen hundred and twelve of the Political Code.

Read first and second times, and referred to the delegation from El Dorado County.

Mr. Lewis, for the delegation, verbally reported Assembly Bill No. 3, recommending its passage.

Assembly Bill No. 3—An Act to regulate fees and fix the compensation of certain officers for the County of Colusa.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

Mr. Murphy of San Luis Obispo, for the delegation, verbally reported Assembly Bill No. 104, recommending its passage—An Act to amend section five of an Act entitled an Act to reorganize the Board of Supervisors of San Luis Obispo, and to provide for the election of the same.

Rules suspended, read third time, and passed.

Mr. Smith, for the delegation, verbally reported Assembly Bill No. 79, recommending its passage—An Act to legalize the incorporation of the Town of Anaheim.

Rules suspended, read third time, and passed.

By Mr. Ream:

MR. PRESIDENT: The delegation, to whom was referred Assembly Bill No. 54—An Act to prevent hogs and goats from running at large within the limits of the town-site of Weaverville, Trinity County, California—has had the same under consideration, and reports the same back, and recommend its passage.

D. REAM, for the Delegation.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

On motion of Mr. McCarthy, Senate Bill No. 191 was ordered printed.

Mr. Fowler presented certain affidavits in relation to Procella Anamentoria, one of the Vasquez band, requesting their reference to the Committee on Claims, to be considered with a bill heretofore introduced by him.

So ordered.

ADJOURNMENT.

At one o'clock and fifty-two minutes P. M., on motion of Mr. Murphy of Santa Clara, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
WEDNESDAY, January 16th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Flint, Fowler, Goodwin, Gwin, Haymond, Hill, Howe, Lambert, Lewis, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

The Journal of yesterday was read and approved.

Mr. Hilborn was granted leave of absence for two days.

PETITIONS.

Petitions were presented, as follows:

By Mr. McCoppin—From four hundred teachers in the public schools of San Francisco, asking the adoption of the Pacific Coast Readers in place of McGuffey's.

By Mr. Searls (by request)—Remonstrances from residents of Nevada County.

Also, from citizens, residents, and Custom-house officers of the City of San Francisco.

Also, from three hundred merchants, dealers, and importers of books, against the passage of Senate Bill No. 51.

By Mr. Smith—From residents of Los Angeles County, remonstrating against the same action.

By Mr. Murphy of Santa Clara County—From citizens of the City of San José.

And, also, by Mr. Coleman—From residents of Nevada County, against the passage of the same bill.

Each of the above received, and laid on the table, to be considered with the special order for to-morrow—Senate Bill No. 51.

Mr. Curtis presented a petition from the Grangers' Committee, Mechanics' State Council, and the Mechanics' Deliberative Assembly, relative to agriculture and the mechanic arts in the State University.

Received, and ordered printed.

The President presented the following communication from the National Board of Trade, Chicago, accompanied by a memorial:

SECRETARY AND TREASURER'S OFFICE,
CHICAGO, January 3d, 1878. }

To the Hon. President of the Senate, Sacramento City, California:

DEAR SIR: Inclosed I beg to hand you a memorial by this Board, which has been forwarded to you, with the request that you will do the Board the honor to cause its proper and early presentation to the honorable body over which you are called to preside, to the end that it may be duly referred to an appropriate committee, where, we trust, it may receive that consideration which the importance of the subject alluded, to us, to demand * * * * *

I have the honor to be, your very obedient servant,

CHAS. RANDOLPH, Secretary.

Received, and referred to the Committee on Commerce and Navigation.

REPORTS.

Reports were submitted, as follows:

By Mr. McGarvey:

SENATE CHAMBER,
SACRAMENTO, January 16th, 1878. }

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 12—An Act to authorize the transfer of moneys in certain funds of the County of Alameda to the General Fund of said county, and provide for the payment of certain warrants, if any, now outstanding—have had the same under consideration, report it back, and recommend its reference to the Alameda delegation.

Also, Assembly Bill No. 58—An Act to amend section three thousand seven hundred and sixty-four of the Political Code of this State—report the same back, and recommend its reference to the San Francisco delegation.

Also, Assembly Bill No. 40—An Act to legalize the acts of the Board of Supervisors of Lake County, in the matter of the survey and construction of the Kelly Cañon Road, in said county—report the same back, and recommend reference to the delegation.

Also, Senate Bill No. 67—An Act to add another section to the Civil Code, in relation to marriages—report the same back, with an amendment, and recommend its passage as amended.

Also, Senate Bill No. 122—An Act to add a new section to the Penal Code, to be numbered section four hundred and two—report the same back, with a substitute for the substitute, and recommend the passage of said substitute.

McGARVEY, Chairman.

Assembly Bills Nos. 12, 58, and 40, above reported, were referred in accordance with the request of the Committee.

By Mr. Donovan—A report from the minority of the Committee on Education:

MR. PRESIDENT: We, the undersigned, minority of your Committee on Education, to which committee was referred Senate Bill No. 51—An Act to foster home industries in the publication of text-books, and to maintain the good faith of the State by reestablishing the contract heretofore entered into by and between A. L. Bancroft & Co. and the State Board of Education of the State of California—beg leave to report that they have had the same under careful consideration, and dissent from the report of the said committee, for the following reasons:

First—Because, by section four of said bill, it is sought to ratify and legalize a pretended contract entered into by and between A. L. Bancroft & Co. and the State Board of Education of this State, which has been formally and finally decided, by the highest tribunal of our State, to have been illegally entered into, and therefore to have been from the first null and void.

Second—Because, if said bill should become a law, it would require the Governor, Secretary

of State, and State Superintendent of Public Instruction, to enter into a contract that would unnecessarily burden the people with a large outlay of money at a time when, by reason of misfortune, they are illly able to sustain it; and which, instead of maintaining the "good faith" of the State as to Bancroft & Co., would publish and proclaim the bad faith both of the State and that of its legislators to their constituents, by doing indirectly what the Supreme Court has decided was not done; and which in point of fact could not be done directly, viz: the making of a contract by the State Board of Education.

Third—Because it was shown to your committee, by numerous influential and honorable citizens of this State, engaged in the various branches of the legitimate business to which the sale of text-books belongs, that the effect of the change, as proposed in this bill, will be to cripple, if not crush, the prosperous enterprises of those who, by years of industry and honorable dealing, have contributed largely to the wealth and prosperity of the State, and who would thereby have ample cause to feel that the State, which should protect them, has been made the unwitting agent in establishing a crushing and grinding monopoly to their ruin.

One of the greatest wrongs that can be inflicted upon a people is the sacrifice by a State of the interests of the many to the profit of the few; and we, of your committee, are firmly convinced that the passage of the bill under consideration would be of the nature of such legislation.

There are upwards of three hundred other book dealers in this State, who, we believe, have rights which it is the duty of this Legislature, if not to protect, at least to regard.

Fourth—Because the price guaranteed to Bancroft & Co. for their books, to-wit: one dollar and ninety-four and two-fifths cents, instead of being less, is in fact greater considerably than the price paid to the publishers of the books now in use, to-wit: one dollar and fifty-seven and one-half cents; and by an inspection of the merits of the different series of books, it is beyond question that the quality of the Pacific Coast Readers is vastly *inferior* to that of the Readers already in use in our public schools. Hence, the members of your committee signing this report conclude that, as representatives of the people, they would be subject to the just censure of their constituents should they aid in effecting a change, by which an *inferior* article and of *greater* price would be substituted for a *better* and a *cheaper* one, already in the hands of the one hundred and forty-two thousand five hundred and sixty-nine pupils of this State. Nor is this all: for in the bill there is no provision for any reduction in price in the future, such as ought to be made, to correspond with the inevitable decline of the cost of labor and material during the indefinite and unlimited time for which the bill *practically*, though not *ostensibly*, awards the contract to Bancroft & Co.

Fifth—Because the preamble of the bill contradicts section three of the bill, and section three of the bill is in conflict with the preamble of the bill. Therefore the preamble, title, and body of the bill, lack the congruity and connection required by Article Four, section twenty-five, of the Constitution of this State.

Sixth—Because section six of the bill inevitably repeals that law of eighteen hundred and seventy-five, passed unanimously by both Houses of the last Legislature, to prevent a sweeping change of nearly all the text-books of this State, contemplated by and involved in the action of the State Board of Education of January sixth, eighteen hundred and seventy-five, the said Act being the only barrier which stands between the people of this State and great loss; and protects them from a wholesale, ruinous, and uncalled for change of text-books in all the public schools of this State.

Seventh—Because, in addition to the change involved in the substitution of Readers as expressed in the bill, the assumed contract effects a change in nearly all the other books in use in our schools, and which are not published by Bancroft & Co., and of home manufacture, but by New York publishing houses; and which houses, unlike Bancroft & Co., are not named in the bill, and therefore the bill is obnoxious to that provision of the Constitution hereinbefore mentioned, which requires that the subject matter of the bill shall be fully recited in its title.

Eighth—Because, on careful inquiry, we have found that none of the books now in use in our schools, from their first inception in the minds of their authors down to their full and entire compilation, have, in any department, received a single touch from any other than "the whitest kind of white labor."

We, therefore, for these and many other pertinent and weighty reasons, respectfully but earnestly protest against the passage of Senate Bill No. 51.

All of which is respectfully submitted.

M. J. DONOVAN.
ROBERT HOWE.

By Mr. Nunan:

SENATE CHAMBER,
SACRAMENTO, January 16th, 1878. }

MR. PRESIDENT: The San Francisco delegation, to whom was referred Senate Bill No. 103, entitled an Act to authorize the grading and improvement of Lobos Square, in the City and County of San Francisco—have had the same under consideration, report it back, and recommend passage as amended.

Also, Senate Bill No. 104, entitled an Act to authorize the Superintendent of Public Streets, Highways, and Squares, in and for the City and County of San Francisco, to have the streets and sewers in said city and county cleaned—have had the same under consideration, and report it back, and recommend its passage as amended.

Also, Senate Bill No. 105, entitled an Act to confer additional powers upon the Board of

Health of the City and County of San Francisco, and to provide for the better sanitary condition of the City and County of San Francisco—have had the same under consideration, report it back, and recommend its indefinite postponement.

Also, Senate Bill No. 116, entitled an Act to define the powers of the Board of Supervisors of the City and County of San Francisco, with reference to contracts—have had the same under consideration, report it back, and recommend its passage as amended.

Also, Senate Bill No. 146, entitled an Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Mayor, Auditor, and Treasurer thereof, and to authorize certain appropriations of money by said Board—have had the same under consideration, report it back, and recommend its passage as amended.

Also, Senate Bill No. 172, entitled an Act for the relief of Richard H. Stretch—have had the same under consideration, report it back, and recommend its passage.

E. NUNAN, Chairman.

By Mr. Brown of El Dorado :

MR. PRESIDENT: The delegation to whom was referred Senate Bill No. 130—An Act to extend the time for the construction of a raceway through the City of Placerville—having had the same under consideration, report it back to the Senate, and recommend its passage.

BROWN, for the Delegation.

By Mr. Crane :

MR. PRESIDENT: The delegation to whom was referred Assembly Bill No. 123—Providing for the payment of outstanding Road Bonds of Plumas County, herewith returns the same, and recommends its passage.

W. H. CRANE, for the Delegation.

By Mr. Whitney :

MR. PRESIDENT: The Sonoma delegation, to whom was referred Senate Bill No. 189—An Act to amend an Act to widen English Street, in the City of Petaluma, and to take private lands therefor—herewith report the same back with a favorable recommendation.

WHITNEY, for the Delegation.

GOVERNOR'S MESSAGE.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
SACRAMENTO, January 15th, 1878. }

To the Senate of the State of California :

I have to inform your honorable body that I have approved Senate Bills No. 2—An Act to limit and fix the rates of fares on street railroads in cities and towns of more than one hundred thousand inhabitants.

No. 43—An Act to provide for the construction of the Casitas Pass Road, in the County of Ventura.

No. 131—An Act to amend sections one thousand and fifty-three and one thousand and fifty-five of the Political Code.

No. 169—An Act concerning the special election to be held in the Fourteenth Senatorial District on the twenty-second day of January, eighteen hundred and seventy-eight.

No. 3—An Act to preserve the name of a street in the City of San Francisco.

WILLIAM IRWIN, Governor.

ASSEMBLY MESSAGE.

The following message was received from the Assembly :

ASSEMBLY CHAMBER, }
SACRAMENTO, January 15th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the fourteenth day of January, A. D. eighteen hundred and seventy-eight, passed Assembly Joint Resolution No. 17—Relative to soldiers' and sailors' additional homesteads.

Also, Assembly Joint Resolution No. 14—Relative to an appropriation from the General Government for the Harbor of San Luis Obispo.

Also, Assembly Joint Resolution No. 20—Relative to improvement of Harbor of Crescent City.

- Also, Assembly Joint Resolution No. 12—Relative to improvement of Wilmington Harbor.
 Also, Assembly Joint Resolution No. 19—Asking for an appropriation for the improvement of the Mokelumne River.
 Also, Assembly Joint Resolution No. 25—Asking increased mail facilities in San Luis Obispo County.
 Also, Assembly Joint Resolution No. 18—Requesting the passage of an Act granting pensions to soldiers and sailors of the Mexican war.
 Also, Assembly Joint Resolution No. 24—Relative to the transfer of Indian Affairs to the War Department.
 Also, Assembly Joint Resolution No. 5—Relative to Chinese immigration.
 Also, Assembly Bill No. 11—An Act for the relief of the School Department of the City of Oakland.
 Also, Assembly Bill No. 109—An Act to authorize the Controller and Treasurer of State to transfer certain funds.
 Also, Assembly Bill No. 145—An Act authorizing and empowering the Trustees of Dockery School District, in the County of Butte, to repay certain moneys.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Joint Resolution No. 17, above reported.

Read first and second times, and referred to the Committee on Public and Swamp and Overflowed Lands.

Assembly Joint Resolutions Nos. 14, 20, 12, 19, 25, 18, and 24, above reported.

Each read first and second times, and referred to the Committee on Federal Relations.

Assembly Joint Resolution No. 5, above reported.

Read first and second times, and referred to the Joint Committee on Claims and Immigration.

Assembly Bill No. 11, above reported.

Read first and second times, and referred to the Committee on Education.

Assembly Bill No. 109, above reported.

Read first and second times, and referred to the Committee on Finance.

Assembly Bill No. 145, above reported.

Read first and second times, and referred to the delegation named in the bill.

SPECIAL ORDER—TWELVE O'CLOCK M.

Appointments of the Governor, as per the following message :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
 SACRAMENTO, January 14th, 1878. }

To the Senate of the State of California:

I have to inform your honorable body that I nominate as Port Warden for the Port of San Francisco, Joseph Austin, *vice* himself, term expired.

As member of the Board of Pilot Commissioners for the Ports of San Francisco, Mare Island, and Benicia, James Gallup, a resident of San Francisco, *vice* himself, he having resigned said office, the resignation having taken effect on December first, eighteen hundred and seventy-seven.

As members of the Board of Trustees of the Asylum for the Deaf, Dumb, and the Blind, Erwin I. Crane *vice* self, term expired, and Thomas Yolland *vice* D. D. Shattuck, term expired.

As member of the Board of Regents of the University, John L. Beard *vice* J. M. Hamilton, term expired.

As members of the Board of Directors of the Asylum for the Insane at Stockton, S. A. Holmes *vice* O. Harvey, term expired, and Frank Stewart *vice* D. McLennan, term expired.

And respectfully request that your honorable body consent to their appointment.

WILLIAM IRWIN, Governor.

The Senate was considered as in executive session.

Upon the question, "Will the Senate advise and consent to the appointment of Joseph Austin as Port Warden for the Port of San Francisco, *vice* himself, term expired?" the roll was called, with the following result:

AYES—Messrs. Beazell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Flint, Fowler, Goodwin, Gwin, Haymond, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Pierson, Ream, Satterwhite, Searls, and Whitney—32.

NOES—None.

Whereupon the Chair announced the appointment of Joseph Austin, as Port Warden for the Port of San Francisco, duly confirmed.

Upon the question, "Will the Senate advise and consent to the appointment of James Gallup, as a member of the Board of Pilot Commissioners for the ports of San Francisco, Mare Island, and Benicia, *vice* himself?" the roll was called, with the following result:

AYES—Messrs. Beazell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Flint, Fowler, Goodwin, Gwin, Haymond, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Pierson, Ream, Satterwhite, Searls, and Whitney—30.

NOES—None.

Whereupon the Chair announced the appointment of James Gallup, as a member of the Board of Pilot Commissioners for the Ports of San Francisco, Mare Island, and Benicia, duly confirmed.

Upon the question, "Will the Senate advise and consent to the appointment of Erwin I. Crane, as a member of the Board of Trustees of the Asylum for the Deaf, Dumb, and the Blind, *vice* himself, term expired?" the roll was called, with the following result:

AYES—Messrs. Beazell, Boyston, Brown of El Dorado, Coleman, Crane, Curtis, Dean, Flint, Fowler, Goodwin, Gwin, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Pierson, Ream, Satterwhite, Searls, and Whitney—27.

NOES—None.

Whereupon the Chair announced that the appointment of Erwin I. Crane, as a member of the Board of Trustees of the Asylum for the Deaf, Dumb, and the Blind, duly confirmed.

Upon the question, "Will the Senate advise and consent to the appointment of Thomas Yolland, as a member of the Board of Trustees of the Asylum for the Deaf, Dumb, and the Blind, *vice* D. D. Shattuck, term expired?" the roll was called, with the following result:

AYES—Messrs. Beazell, Boyston, Brown of El Dorado, Coleman, Crane, Curtis, Dean, Flint, Fowler, Goodwin, Gwin, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Pierson, Ream, Satterwhite, Searls, and Whitney—28.

NOES—None.

Whereupon the Chair announced the appointment of Thomas Yolland, as a member of the Board of Trustees of the Asylum for the Deaf, Dumb, and the Blind, duly confirmed.

Upon the question, "Will the Senate advise and consent to the appointment of John L. Beard, as a member of the Board of Regents of the University of California, *vice* J. M. Hamilton, term expired?" the roll was called, with the following result:

AYES—Messrs. Beazell, Boyston, Brown of El Dorado, Coleman, Crane, Curtis, Dean, Flint, Fowler, Goodwin, Gwin, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Pierson, Ream, Satterwhite, Searls, and Whitney—29.

NOES—None.

Whereupon the Chair announced the appointment of John L. Beard, as a member of the Board of Regents of the University of California, duly confirmed.

Upon the question, "Will the Senate advise and consent to the appointment of S. A. Holmes, as a member of the Board of Directors of the Asylum for the Insane at Stockton, *vice* O. Harvey, term expired?" the roll was called, with the following result:

AYES—Messrs. Beazell, Boyston, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Flint, Fowler, Gwin, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Pierson, Ream, Satterwhite, Searls, and Whitney—28.

NOES—None.

Whereupon the Chair announced the appointment of S. A. Holmes, as a member of the Board of Directors of the Asylum for the Insane at Stockton, duly confirmed.

Upon the question, "Will the Senate advise and consent to the appointment of Frank Stewart, as a member of the Board of Directors of the Asylum for the Insane at Stockton, *vice* D. McLennan, term expired?" the roll was called, with the following result:

AYES—Messrs. Beazell, Boyston, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Flint, Fowler, Gwin, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Pierson, Ream, Satterwhite, Searls, and Whitney—28.

NOES—None.

Whereupon the Chair announced that the appointment of Frank Stewart, as a member of the Board of Directors of the Asylum at Stockton, duly confirmed.

FOR A JOINT CONVENTION.

Mr. Curtis offered a resolution, as follows:

Resolved by the Senate, the Assembly concurring. That the two Houses meet in joint convention, in the Assembly Chamber, at twelve o'clock m., on Friday, January eighteenth, for the purpose of electing five Trustees of the State Library, to fill the vacancies which will occur by the expiration of the terms of John W. Armstrong, James J. Green, Jo Hamilton, F. W. Hatch, and E. B. Mott, Jr.

Adopted.

The President announced that he had appointed Senator Lambert to fill the vacancy in the Joint Committee on Chinese Immigration, caused by the death of Senator Porter.

GENERAL FILE.

Senate Joint Resolution No. 18—Relative to desert lands.

Amended.

On the engrossment of the resolution, the ayes and noes were demanded by Messrs. Fowler, Rogers, and Norton, and it was ordered engrossed, by a vote, as follows:

AYES—Messrs. Beazell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Fowler, Gwin, Haymond, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Pierson, Ream, Rogers, Searls, Shirley, Smith, and Whitney—30.

NOES—Messrs. Flint, McGarvey, Montgomery, and Satterwhite—4.

On motion of Mr. Rogers, the vote ordering the resolution to engrossment was reconsidered by general consent.

Considered engrossed, read third time, and passed.

Mr. McCoppin moved a suspension of the rules to take up Senate Bills Nos. 103, 104, and 146, to consider the bills at this time.

Agreed to.

Senate Bill No. 103—An Act to authorize the grading and improvement of Lobos Square, in the City and County of San Francisco.

The bill was reported from the Committee of the Whole, with a substitute title, as follows:

Senate Bill No. 103—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor, and Treasurer, and Superintendent of Public Streets, Highways, and Squares thereof, and to authorize an appropriation of money by said Board.

Substitute adopted.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 104—An Act to authorize the Superintendent of Public Streets, Highways, and Squares, in and for the City of San Francisco, to have the streets and sewers in said city and county cleaned and repaired.

Reported from the Committee of the Whole, with a substitute title, as follows:

Senate Bill No. 104—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor, Treasurer, and Superintendent of Public Streets, Highways, and Squares thereof, and to authorize an appropriation of money by said Board.

Substitute adopted.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 146—An Act to confer additional power upon the Board of Supervisors of the City and County of San Francisco, and upon the Mayor, Auditor, and Treasurer thereof, and to authorize certain appropriations of money by said Board.

Reported from the Committee of the Whole with sundry amendments.

On motion of Mr. McCoppin, the amendments were concurred in.

On motion of Mr. Rogers, the rules were suspended, and the bill considered engrossed.

Read third time, and passed.

Mr. Curtis (by leave) introduced a bill as follows—An Act to reorganize and simplify the school system and public education of the State of California.

Read first and second times, and referred to the Committee on Education.

Mr. Beazell offered a resolution providing for the appointment of Walter Veirs as Assistant Porter.

Referred to the Committee on Contingent Expenses.

ADJOURNMENT.

At three o'clock and thirty minutes P. M., on motion of Mr. Fowler, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
THURSDAY, January 17th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Curtis, Dean, Donovan, Flinn, Fowler, Goodwin, Hammond, Hill, Howe, Lambert, Lewis, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

While the Journal of yesterday was being read, on motion of Mr. Lewis, the further reading was dispensed with, and the same approved.

PETITIONS.

Petitions were presented, as follows:

By Mr. Brown of Amador—From teachers and school officers of Butte, Contra Costa, El Dorado, Kern, Lassen, Lake, Los Angeles, Mendocino, Placer, San Luis Obispo, San Joaquin, Sacramento, San Diego, Santa Clara, Stanislaus, Sutter, Solano, Tuolumne, Tulare, Ventura, and Yolo Counties, praying for the adoption of the Pacific Coast Readers.

Also, by Mr. Crane—From the County Board of Examination and teachers of Plumas County, praying for the adoption of said Readers.

Mr. Nunan presented memorials from retail book dealers of the Cities of San Francisco and Oakland, favoring the introduction of the Pacific Coast Readers into the public schools.

Each of the above received, and laid on the table, to be considered with the special order for to-day—Senate Bill No. 51.

REPORTS.

Reports were submitted, as follows:

By Mr. Ream:

SENATE CHAMBER,
SACRAMENTO, January 17th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 26—An Act to amend section two hundred and ninety-nine of the Civil Code.

Also, Senate Bill No. 87—An Act to amend section nine hundred and sixty-nine of the Code of Civil Procedure.

Also, Senate Bill No. 92—An Act for the relief of Cook Talcott and Andrew Onderdonk.

Also, Senate Bill No. 93—An Act to authorize the Board of State Harbor Commissioners to pay the claim of Sheldon and Graves.

Also, Senate Bill No. 95—An Act to add a new section to the Code of Civil Procedure.

Also, Senate Bill No. 108—An Act to amend section forty of the Civil Code.

Also, Senate Bill No. 112—An Act to amend section one thousand one hundred and sixty-six of the Code of Civil Procedure, in relation to forcible or unlawful detainer.

Also, Senate Bill No. 113—An Act to amend section three of an Act entitled an Act repealing Article Four of an Act entitled an Act to repeal the several charters of the City of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved the nineteenth day of April, eighteen hundred and fifty-six, and all Acts and parts of Acts amendatory thereof and supplementary thereto, and substituting this Act for said Article Four, approved April first, eighteen hundred and seventy-two.

Also, Senate Bill No. 118—An Act to amend section eight hundred and ninety-five of the Code of Civil Procedure.

D. REAM, for the Committee.

By Mr. Lambert :

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 12—Relative to the improvement of Wilmington Harbor.

Also, Assembly Joint Resolution No. 14—Relative to an appropriation from the General Government for the Harbor of San Luis Obispo.

Also, Assembly Joint Resolution No. — Requesting the passage of an Act granting pensions to the soldiers and sailors of the Mexican war.

Also, Assembly Joint Resolution No. 19—Asking an appropriation for the improvement of the Mokelumne River.

Also, Assembly Joint Resolution No. 20—Relative to improvement of the Harbor of Crescent City.

Also, Assembly Joint Resolution No. 24—Relative to the transfer of Indian Affairs to the War Department.

Also, Assembly Joint Resolution No. 25—Asking increased mail facilities in San Luis Obispo County.

Also, Senate Joint Resolution No. 24—Concerning the Southern policy and civil service policy of the President—and herewith report the same back, and recommend their passage.

Also, have had under consideration, Senate Joint Resolution No. 23—Relative to public lands in this State—and herewith report the same back with an amendment, and recommend the passage of the resolution as amended.

Also, have had under consideration, Senate Joint Resolution No. 6—Relative to the remonetization of silver.

Also, Senate Joint Resolution No. 21—Concerning the currency—and herewith report the same back without recommendation.

LAMBERT, Chairman.

By Mr. McGarvey:

SENATE CHAMBER.

SACRAMENTO, January 17th, 1878. }

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 119—An Act to change the name of Edward Hubert McDaniel to Edward Hampton Hubert—report the same back, and a majority recommend that it do not pass.

Also, Senate Bill No. 137—An Act to regulate fees of Justices of the Peace, in criminal cases, in the County of Tulare—report the same back, and recommend that it do not pass.

McGARVEY, Chairman.

By Mr. Nunan:

SENATE CHAMBER.

SACRAMENTO, January 17th, 1878. }

MR. PRESIDENT: The San Francisco delegation, to whom was referred Assembly Bill No. 58—An Act to amend section three thousand seven hundred and sixty-four of the Political Code of this State—have had the same under consideration, report it back, and recommend its passage.

E. NUNAN, Chairman.

On motion of Mr. Nunan, the rules were suspended, and the bill above reported, taken up for consideration.

Read third time, and passed.

On motion of Mr. Satterwhite, Senate Joint Resolutions Nos. 21 and 6, reported to-day from the Committee on Federal Relations, were made a special order for Friday, January twenty-fifth, at twelve o'clock M., and Resolution No. 6 was ordered printed.

ASSEMBLY MESSAGE.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, January 16th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the fifteenth day of January, A. D. eighteen hundred and seventy-eight, adopted Assembly Concurrent Resolution No. 27—Relative to printing the Governor's message in Spanish.

Also, amended and passed Senate Joint Resolution No. 16—Relative to the improvement of Feather River.

Also, concurred in Senate amendment to Assembly Bill No. 74.

Also, passed Assembly Bill No. 67—An Act for the relief of Julius Blume.

Also, Assembly Bill No. 98—An Act making appropriations for deficiencies in the twenty-seventh, twenty-eighth, and twenty-ninth fiscal years.

Also, Assembly Bill No. 63—An Act to provide for repairing the sewers of Sacramento City.

Also, Assembly Bill No. 110—An Act to authorize the County Treasurer of El Dorado County to pay Edward Hunt the sum of two hundred dollars out of the School Fund of said county.

Also, to return herewith Senate Bill No. 19—An Act to amend section three thousand six hundred and seventeen of the Political Code—in accordance with request of the Senate.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Concurrent Resolution No. 27.

Concurred in.

Assembly Bill No. 69, above reported.

Read first and second times, and referred to the Committee on Claims.

Senate Bill No. 19, above reported.

Referred to the Judiciary Committee.

Senate Joint Resolution No. 16, above reported.

Assembly amendments concurred in.

Assembly Bill No. 98, above reported.

Read first and second times, and referred to the Committee on Finance.

Assembly Bill No. 63, above reported.

Read first and second times, and referred to the delegation named in the bill.

Assembly Bill No. 110, above reported.

Read first and second times.

On motion of Mr. Brown of El Dorado, the rules were suspended, and the bill taken up for consideration.

Read third time, and passed.

INTRODUCTION OF BILLS.

Bills were introduced, as follows:

By Mr. McGarvey, for the Judiciary Committee—An Act to amend the Penal Code, by adding a new section, to be known as section four hundred and twenty.

Read first and second times.

Rules suspended, considered engrossed, and by unanimous consent read third time, and passed.

Ordered to the Assembly without engrossment.

By Mr. McCoppin—An Act to enable the Board of Supervisors of

the City and County of San Francisco to increase the police force of said city and county, and to provide for the appointment, regulation, and payment thereof.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Beazell—An Act to fix the compensation of the Under-Sheriff, Deputy Sheriff, and County Jailors of Alameda County.

Read first and second times, and referred to the Alameda County delegation.

By Mr. Boyston—An Act for the relief of Edward C. Kerby and John Burke.

Also, an Act to provide for the extension of Tehama Street.

Each of the above bills read first and second times, and referred to the San Francisco delegation.

By Mr. Gwin—An Act to pay the claim of Mary M. Springer, widow and heir of Thomas A. Springer, late State Printer, deceased.

Read first and second times, and, with a memorial accompanying the bill, referred to the Committee on Claims.

By Mr. Shirley—An Act granting relief to taxpayers whose lands have been sold to the State.

Read first and second times, and referred to Judiciary Committee.

By Mr. Murphy of Santa Clara—An Act to provide for furnishing cities and counties, or cities or towns, and the inhabitants thereof, with pure fresh water, and to enable cities and counties, or cities or towns, to acquire and maintain public water works.

Read first and second times, and referred to the Committee on Corporations.

By Mr. Haymond—An Act for the relief of John A. Odell.

Read first and second times, and referred to the Committee on Claims.

By Mr. McGarvey (by request of the Judiciary Committee)—An Act to add a new section to the Penal Code, to be known as section two hundred and fifty-eight.

Read first and second times, and ordered on the general file.

By Mr. Montgomery—An Act to provide for the maintenance and construction of roads and highways in the County of Mariposa.

Read first and second times, and referred to the Committee on Roads and Highways.

By Mr. Flint—A joint resolution requesting our Representatives and instructing our Senators, in Congress, to oppose any change of the present duties upon wools and woolens.

Read first and second times, and referred to the Committee on Federal Relations.

GENERAL FILE.

Senate Bill No. 83—An Act to define the rights of foreigners in the State of California.

Amendments concurred in.

The Senate refused to engross the bill.

Senate Bill No. 6—An Act to amend section three hundred and seven of the Civil Code, in relation to corporations.

Read third time, and passed.

Senate Bill No. 66—An Act to amend sections two hundred and seventy-five and two hundred and seventy-nine of the Code of Civil Procedure, relating to attorneys and counselors-at-law.

Read third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Searls, Lambert, and Norton, and it passed by a vote, as follows:

AYES—Messrs. Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Flint, Goodwin, Haymond, Howe, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Rogers, Searls, and Whitney—22.

NOES—Messrs. Donovan, Fowler, Gwin, Hill, Lambert, McCarthy, Ream, Satterwhite, and Shirley—9.

Senate Bill No. 138—An Act to amend section three thousand and sixty-one of the Political Code—Relating to the local Boards of Health.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Bill No. 84—An Act in relation to roads and highways in San Diego County.

Read third time, and passed.

Assembly Bill No. 152—An Act to amend an Act entitled an Act to prevent persons passing through inclosures, and leaving them open by tearing down fences or otherwise, and to prevent hunting upon inclosed lands in the State of California, approved March twenty-third, eighteen hundred and seventy-six, so as to make the same applicable to the County of San Benito.

Read third time, and passed.

Senate Bill No. 67—An Act to add another section to the Civil Code in relation to marriage.

Amendments adopted.

Ordered engrossed.

Senate Bill No. 105—An Act to confer additional powers upon the Board of Health of the City and County of San Francisco, and to provide for the better sanitary condition of the City and County of San Francisco.

Withdrawn by Mr. Murphy of San Francisco, the author, and by general consent.

Senate Bill No. 116—An Act to define the powers of the Board of Supervisors of the City and County of San Francisco, with reference to contracts.

Amendments adopted.

Rules suspended, considered engrossed, read third time, and passed.

Substitute for Senate Bill No. 122.

Passed on file.

On motion of Mr. Craig, Assembly Bill No. 123—An Act to provide for the payment of certain outstanding road bonds of Plumas County.

Read third time, and passed.

Senate Bill No. 51—An Act to foster home industries in the publication of text-books and to maintain the good faith of the State by reestablishing the contract heretofore entered into by and between A. L. Bancroft & Co. and the State Board of Education of the State of California.

Reported from the Committee of the Whole with amendments, which were concurred in.

Mr. Howe offered an amendment, as follows: "Amend section three, page eight, line twelve, by striking out the words thirty-five (35) and inserting the word thirty (30); line thirteen, by striking out the words fifty-five (55) and inserting the word fifty (50); line fifteen, by striking out the words one dollar (\$1.00) and inserting the words seventy-five cents (75c.)."

Mr. Murphy of San Francisco moved to postpone the action on the bill, and that it be made a special order for Friday, the twenty-fifth instant, at one o'clock P. M.

Mr. Brown of Amador moved to amend the motion, and that action be postponed, and made a special order for to-morrow, at one o'clock P. M., on which the ayes and noes were demanded by Messrs. Norton, Murphy of San Francisco, and Searls, and the motion was lost, by a vote, as follows:

AYES—Messrs. Brown of Amador, Brown of El Dorado, Coleman, Crane, Dean, Flint, Goodwin, Haymond, Murphy of Santa Clara, and Satterwhite—10.

NOES—Messrs. Beazell, Boyston, Craig, Curtis, Donovan, Fowler, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McCarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Norton, Nunan, Pierson, Ream, Rogers, Searls, Shirley, Smith, and Whitney—25.

Upon the motion of Mr. Murphy of San Francisco, the ayes and noes were demanded by Messrs. Lewis, Murphy of San Francisco, and Norton.

The motion prevailed, and the bill, with pending amendments, was made a special order for Friday, the twenty-fifth instant, at one o'clock P. M., by a vote, as follows:

AYES—Messrs. Beazell, Boyston, Crane, Curtis, Donovan, Fowler, Haymond, Hill, Howe, Lambert, McCarthy, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Norton, Rogers, Satterwhite, Shirley, Smith, and Whitney—20.

NOES—Messrs. Brown of Amador, Brown of El Dorado, Coleman, Craig, Dean, Flint, Goodwin, Lewis, McCoppin, McCarvey, Murphy of Santa Clara, Nunan, Pierson, Ream, and Searls—15.

Mr. Howe submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, January 17th, 1878. }

MR. PRESIDENT: Your Committee on Engrössment have examined, and find correctly engrossed, Senate Joint Resolution No. 20—Relative to streets adjoining the Point San José Reservation.

Also, Senate Bill No. 150—An Act to authorize certain appropriations of money by the Board of Supervisors of the City and County of San Francisco.

Also, Senate Bill No. 103—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor, Treasurer, and Superintendent of Public Streets, Highways, and Squares thereof, and to authorize an appropriation of money by said Board.

Also, Senate Bill No. 104—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor, Treasurer, and Superintendent of Public Streets, Highways, and Squares thereof, and to authorize an appropriation of money by said Board.

Also, Senate Bill No. 146—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Mayor, Auditor, and Treasurer thereof, and to authorize certain appropriations of money by said Board.

ROBERT HOWE, for the Committee.

Mr. Rogers submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, January 17th, 1878. }

MR. PRESIDENT: The Committee on Contingent Expenses have had under consideration the accompanying resolution, and report the same back, and recommend its passage.

GEORGE H. ROGERS, Chairman.

The resolution was taken up, reading as follows:

Resolved, That Hank Jones, the Rear Porter, be allowed three days' pay, from the third to the sixth day of December, payable out of the appropriation for the contingent expenses of the Senate.

Adopted.

ADJOURNMENT.

At three o'clock and eight minutes P. M., on motion of Mr. Goodwin, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
FRIDAY, January 18th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names.

Messrs. Beazell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

The Journal of yesterday was read and approved.

PETITIONS.

Petitions were presented, as follows:

By Mr. Beazell—From taxpayers and residents of the City of Oakland, remonstrating against the passage of any bill having for its object a change of text-books in the public schools.

Also, by Mr. Searls—From residents of Nevada County, protesting against the passage of Senate Bill No. 51, and asking the passage of a law referring the whole vexed question to the people.

Each of the above received, and laid on the table, to be considered with Senate Bill No. 51.

REPORTS.

Reports were submitted, as follows:

By Mr. McGarvey:

MR. PRESIDENT: The Judiciary Committee, to whom was referred Senate Bill No. 74—have had the same under consideration, and propose an amendment thereto, and recommend the passage of the bill, as amended.

Also, have had under consideration, Senate Bill No. 145—and now report the same back, with the recommendation that it do pass.

Also, Assembly Bill No. 17—An Act to amend section three thousand six hundred and seventeen of the Political Code, defining certain terms—and now report the same back, and recommend its passage.

McGARVEY, Chairman.

The rules were suspended, and, on motion of Mr. McGarvey, Assembly Bill No. 17, above reported, was taken up for consideration.

Read third time, and passed.

By Mr. Crane :

SENATE CHAMBER,
SACRAMENTO, January 17th, 1878. }

MR. PRESIDENT: The delegation from Butte, to whom was referred Assembly Bill No. 145—Authorizing and empowering the Trustees of Dockery School District, in the County of Butte, to repay certain moneys—report the same back, and recommend its passage.

W. H. CRANE, Delegation.

By Mr. Beazell :

MR. PRESIDENT: The Alameda delegation, to whom was referred Assembly Bill No. 12—An Act to authorize the transfer of moneys in certain funds of the County of Alameda to the General Fund of said County, and provide for the payment of certain warrants, if any, now outstanding—report the same back, and recommend its passage.

BEAZELL, for Delegation.

ASSEMBLY MESSAGES.

The following messages were received from the Assembly :

ASSEMBLY CHAMBER,
SACRAMENTO, January 17th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the sixteenth day of January, A. D. eighteen hundred and seventy-eight, adopted Assembly Concurrent Resolution No. 34—Relative to a joint committee on the question of a Constitutional Convention.

And on this day passed, and ordered transmitted, without engrossment, Assembly Joint Resolution No. 35—Relative to subsidies to steamship companies on the Pacific Ocean.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, January 18th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the seventeenth day of January, A. D. eighteen hundred and seventy-eight, adopted Assembly Concurrent Resolution No. 36—Returning thanks to Professor Davidson for his lectures.

Also, passed Assembly Bill No. 150—An Act to amend section nineteen hundred and seventeen of the Civil Code.

Also, Assembly Bill No. 190—An Act to authorize the Common Council of the City of Oakland to appoint a Deputy City Marshal for said city.

Also, concurred in Senate Concurrent Resolution No. 28—Relative to election of Trustees of State Library.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Concurrent Resolution No. 36, above reported.
Concurred in.

Assembly Bill No. 150, above reported.

Read first and second times, and referred to the Judiciary Committee.

Assembly Bill No. 90, above reported.

Read first and second times, and referred to the Alameda County delegation.

Assembly Concurrent Resolution No. 34, above reported.

Referred to the Judiciary Committee.

Assembly Joint Resolution No. 35, above reported.

Read first and second times, and referred to the Committee on Federal Relations.

Mr. Rogers submitted a report, as follows:

MR. PRESIDENT: The Committee on Contingent Expenses have had under consideration the three accompanying resolutions, and report the same back, with a substitute for the three, and recommend the passage of the substitute.

G. H. ROGERS.

Substitute:

Resolved, That William Singleton be and he is hereby appointed Porter for the gallery, and also Assistant Porter for Committees-rooms, to receive a per diem of three dollars, payable out of the contingent fund of the Senate, the per diem to be paid from the commencement of the session.

Adopted.

INTRODUCTION OF BILLS.

Bills were introduced, as follows:

By Mr. Murphy of San Francisco (by request)—An Act concerning certain street contracts in San Francisco.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Beazell—An Act for the relief of the Oakland Guard, of Oakland City.

Read first and second times, and referred to the Committee on Claims.

By Mr. Howe—An Act to amend section two thousand five hundred and thirty-six of the Political Code, concerning the construction of the sea-wall of San Francisco.

Read first and second times, and referred to the Committee on Commerce and Navigation.

By Mr. McCoppin—An Act to amend section one hundred and eighty-two of the Penal Code of the State of California.

Also, an Act in relation to the House of Correction of the City and County of San Francisco.

Each of the above bills read first and second times, and referred to the Judiciary Committee.

By Mr. Murphy of San Luis Obispo—An Act supplementary to an Act entitled an Act to provide for the construction of a railroad from the Bay of San Luis Obispo, in the County of San Luis Obispo, to Santa Maria, in the County of Santa Barbara.

Read first and second times, and referred to the delegation named in the bill.

MOTIONS AND RESOLUTIONS.

Resolutions were submitted, as follows:

By Mr. McCoppin:

Resolved, That the Committee on Finance and the Committee on Claims be and are hereby consolidated as one committee, to be known as the Committee on Finance and Claims.

Rules suspended, and the resolution adopted.

By Mr. Murphy of San Luis Obispo:

Resolved by the Senate, the Assembly concurring. That a committee of three from each House be appointed respectively by the President and the Speaker, to receive proposals and award the contract for translating into Spanish the laws of the present session of the Legislature.

Adopted.

By Mr. Satterwhite:

Resolved, That the President and Sergeant-at-Arms of the Senate be instructed to draw warrants upon the Controller for nine days' per diem due John P. Cosgrave, Phonographic Reporter, and Pleasant Byrd, Sergeant-at-Arms of the Senate Committee on Irrigation, for nine days' services, from January fourth to January twelfth inclusive, at the per diem of five dollars, payable out of the appropriation for the contingent expenses of the Senate.

Adopted.

GENERAL FILE.

Substitute for Senate Bill No. 122.

Passed on file.

Senate Bill No. 130—An Act to extend the time for the construction of a raceway through the City of Placerville.

And Senate Bill No. 172—An Act for the relief of Richard H. Stretch.

And Senate Bill No. 189—An Act to amend an Act entitled an Act to widen English Street, in the City of Petaluma, and to take private lands therefor, approved March twenty-fifth, eighteen hundred and seventy-six.

Rules suspended, the bills considered engrossed, and each read third time, and passed.

Senate Bill No. 112—An Act to amend section one thousand one hundred and sixty-six of the Code of Civil Procedure, in relation to forcible or unlawful detainer.

Read third time, and passed.

Assembly Joint Resolution No. 12—Relative to improvement of Wilmington Harbor.

Read third time, and passed.

Assembly Concurrent Resolution No. 14—Relative to an appropriation from the General Government for the Harbor of San Luis Obispo.

Read third time, and passed.

Assembly Joint Resolution No. 18—Requesting the passage of an Act granting pensions to soldiers and sailors of the Mexican war.

Read third time, and passed.

Assembly Joint Resolution No. 19—Asking an appropriation for the improvement of the Mokelumne River.

Read third time, and passed.

Assembly Joint Resolution No. 20—Relative to improvement of the Harbor of Crescent City.

Read third time, and passed.

Assembly Joint Resolution No. 24—Relative to the transfer of Indian Affairs to the War Department.

Read third time, and passed.

Assembly Joint Resolution No. 25—Asking increased mail facilities in San Luis Obispo County.

Read third time, and passed.

Senate Joint Resolution No. 24—Concerning the Southern policy and civil service policy of the President.

On motion of Mr. Smith, made a special order for Friday, the twenty-fifth instant, at twelve o'clock M.

Senate Joint Resolution No. 23—Relative to public lands in this State.

Amendment adopted.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 119—An Act to change the name of Edward Herbert McDaniel to Edward Hampton Herbert.

Laid on the table.

Senate Bill No. 137—An Act to regulate fees of Justices of the Peace in criminal cases, in the County of Tulare.

On motion of Mr. Fowler, indefinitely postponed.

On motion of Mr. Murphy of San Francisco, Senate Bill No. 52 was ordered printed.

Mr. Lambert, for the delegation, verbally reported Senate Bill No. 159—An Act to amend section six of an Act entitled an Act to re-incorporate the Town of Woodland, approved March twenty-fourth, eighteen hundred and seventy-four, recommending its passage.

Mr. McCoppin offered a resolution, as follows:

Resolved, That the Committee on Finance and Claims be and hereby are allowed a Clerk, at a per diem of five dollars.

Referred to the Committee on Contingent Expenses.

Mr. Curtis offered a resolution, as follows:

Resolved, That the Assembly be informed that the Senate will meet that body in joint convention, as provided for under Senate Concurrent Resolution No. 28, to elect Trustees for the State Library.

Adopted.

IN JOINT CONVENTION.

FRIDAY, January 18th, 1878.

The following are the proceedings in joint convention, for the purpose of electing five Trustees of the State Library, as provided for in section two thousand two hundred and ninety-two of the Political Code, and to fill vacancies which will occur by the expiration of the term of office of John W. Armstrong, James J. Green, Jo Hamilton, F. W. Hatch, and E. B. Mott, Jr.:

At the hour of twelve o'clock M. the joint convention was called to order, the President of the Senate, in conjunction with the Speaker of the Assembly, presiding.

The roll of the Senate was called, and the following Senators answered to their names:

Messrs. Benzell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Gevin, Haymond, Hall, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, and Whitney.

The roll of the Assembly was then called, and the following Assemblymen were present:

Messrs. Abbott, Adams, Anderson, Asmussen, Backus, Barstov, Blackwell, Blake, Breen, Brooks, Colley, Conroy, Cooley, Dare, DeWitt, Dimmiene, Dunlap, Ellis, Ewing, Farnum, Gar-

ver, Haile, Hanna, Hart, Haworth, Hicks, Hinshaw, Hugg, Johnson, Kercheval, Mace, McClure, McComas, Meyers, Murphy of Del Norte, Ostrom, Pace, Pauly, Robertson, Russ, Sargent, Sherman, Smyth, Swift, Thompson, Tobin, Tuttle, Warden, Waters, Welch, Wheat, Whitlock, Young, and Mr. Speaker.

The President of the Senate directed the Secretary to read Senate Concurrent Resolution No. 28, which was read, as follows:

Resolved by the Senate, the Assembly concurring. That the two Houses meet in joint convention in the Assembly Chamber, at twelve o'clock m., on Friday, January eighteenth, for the purpose of electing five Trustees of the State Library, to fill the vacancies which will occur by the expiration of the terms of John W. Armstrong, James J. Green, Jo Hamilton, F. W. Hatch, and E. B. Mott, Jr.

Nominations were announced to be in order.

Mr. Lewis nominated Jo. Hamilton, John W. Armstrong, Dr. F. W. Hatch, E. W. Maslin, and Fred. Cox.

Mr. Johnson nominated James J. Green, E. B. Mott, Jr., W. H. H. Lee, E. L. Sullivan, and W. H. Mills.

The Secretary called the roll of the Senate, and each Senator present announced his vote, as follows:

For Jo Hamilton, J. W. Armstrong, F. W. Hatch, E. W. Maslin, and Fred. Cox—Messrs. Beazell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Fowler, Goodwin, Gwin, Haymond, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Pierson, Ream, Rogers, Searls, Shirley, and Whitney.

For J. J. Green, E. B. Mott, Jr., E. L. Sullivan, W. H. Mills, and W. H. H. Lee—Messrs. Evans, Flint, and Satterwhite.

The Clerk of the Assembly then called the roll of the House, and each member announced his vote, as follows:

For Jo Hamilton, J. W. Armstrong, F. W. Hatch, E. W. Maslin, and Fred. Cox—Messrs. Adams, Ames, Anderson, Asmussen, Barstow, Berry, Blackwell, Breen, Brooks, Coffey, Conroy, Cooley, Dare, DeWitt, Dimmick, Dorsey, Dunlap, Ellis, Ewing, Farnum, Garver, Golden, Haile, Hanna, Hart, Haworth, Hicks, Hinshaw, Hugg, Mace, McClure, Murphy of Del Norte, Nott, Ostrom, Pace, Pauly, Robertson, Sherman, Smyth, Thompson, Tuttle, Warden, Waters, Wheat, and Young.

For Jas. J. Green, E. B. Mott, Jr., W. H. H. Lee, E. L. Sullivan, and W. H. Mills—Messrs. Abbott, Blake, Johnson, Kercheval, Meyers, and Sargent.

For Jo Hamilton, E. W. Maslin, J. W. Armstrong, and J. J. Green—Mr. Welch.

For Jo Hamilton—Mr. Swift.

Whole number of votes cast.....	89
Necessary to a choice.....	45
Jo Hamilton received.....	80
John W. Armstrong received.....	79
F. W. Hatch received.....	78
E. W. Maslin received.....	79
Fred. Cox received.....	78
James J. Green received.....	10
E. B. Mott, Jr., received.....	9
W. H. H. Lee received.....	9
E. L. Sullivan received.....	9
W. H. Mills received.....	9

Whereupon the President announced that Jo Hamilton, John W. Armstrong, F. W. Hatch, E. W. Maslin, and Fred. Cox, having received a majority of all the votes cast in joint convention, a majority of all the members elected to both Houses being present and voting, were duly elected Trustees of the State Library, to serve for the term of four years, from the expiration of the term of the present Trustees.

On motion of Mr. Pierson, the proceedings in joint convention were considered read, and the same approved.

At one o'clock and forty-two minutes P. M., on motion of Mr. Pierson, the joint convention adjourned *sine die*.

IN SENATE.

At one o'clock and forty-five minutes P. M. the Senate re-assembled. President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Curtis, Donovan, Flint, Fowler, Goodwin, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Numan, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

GOVERNOR'S MESSAGE.

The following message was received from the Governor:

To the Senate and Assembly of the State of California:

Section two thousand five hundred and thirty-two of the Political Code, as amended at the last session of the Legislature, established a Commission, composed of the Board of State Harbor Commissioners, the Governor of the State, and the Mayor of the City of San Francisco, to select and locate a new line for a harbor embankment or sea-wall along the water point of the City of San Francisco.

This Commission having performed the work assigned it, the Board of Harbor Commissioners have made a report, giving all the acts of said Commission in detail, including a map showing the line adopted for the proposed sea-wall, and embracing other matter pertaining to the water front.

This report I now have the honor to submit to the Legislature for its information touching the matters therein treated of.

WILLIAM IRWIN, Governor.

On motion of Mr. Murphy of San Francisco, the report was referred to the Committee on Commerce and Navigation.

RECESS.

At one o'clock and fifty-two minutes P. M., on motion of Mr. Lewis, the Senate took a recess until three o'clock P. M.

RE-ASSEMBLED.

The Senate re-assembled at three o'clock P. M.
President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Boyston, Coleman, Curtis, Dean, Donovan, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, Montgomery, Murphy of Santa Clara, Norton, Pierson, Ream, Searls, Smith, and Whitney.

Quorum present.

INTRODUCTION OF BILLS.

Bills were introduced, by leave, as follows:

By Mr. Pierson—An Act to amend section three hundred and seventy-six of the Penal Code.

Read first and second times, and referred to the Judiciary Committee.

Also, an Act to amend the Political Code, respecting the health and quarantine regulations of the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Goodwin—An Act to amend section one thousand five hundred and ninety of the Penal Code.

Read first and second times, rules suspended, considered engrossed, and by unanimous consent read third time, and passed.

By Mr. Lambert—An Act to provide a new Great Register for the County of Yolo, and re-register the voters thereof.

Read first and second times, and referred to the Judiciary Committee.

Mr. Lewis, for the Judiciary Committee, submitted the following report:

MR. PRESIDENT: Your Judiciary Committee have examined Assembly Bill No. 140—An Act to amend the Civil Code with respect to the measure of damages in certain cases—and report it back, with the recommendation that it do pass.

Also, Assembly Bill No. 41—An Act to fix the terms of the County and Probate Courts in and for the County of Lake—and report a substitute, and recommend the passage of the substitute.

Also, Assembly Concurrent Resolution No. 34—Relative to a joint committee on the question of a Constitutional Convention—report it back with a substitute, and recommend passage of the substitute.

Also, Senate Bill No. 33—An Act to regulate the fees and establish the compensation of the County Recorder of the County of Placer, and to repeal an Act to fix the salary of the County Recorder of the County of Placer, approved March twenty-seventh, eighteen hundred and seventy-four—and report the same back to the Senate, at the request of the author, with a substitute, and recommend that the substitute be printed.

Also, Senate Bill No. 160—An Act to amend section one thousand three hundred and eighty-six of the Penal Code—report it back, and recommend that it do pass.

Also, Senate Bill No. 192—An Act to amend an Act entitled an Act to prevent hogs and goats running at large on certain lands in this State, approved March thirty-first, eighteen hundred and seventy-six—and recommend its passage.

E. J. LEWIS, Chairman pro tem.

Rules suspended, and Assembly Concurrent Resolution No. 34, above reported, taken up for consideration.

Senate substitute adopted.

Assembly Bill No. 41, above reported.

Rules suspended, and the bill taken up for consideration.

Substitute adopted.

Ordered printed, and on the general file.

Senate Bill No. 33, above reported.

Rules suspended, and the bill taken up for consideration.

Substitute adopted.

Ordered printed, and on the general file.

Assembly Bill No. 140, above reported.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

Senate Bill No. 160, above reported.

Rules suspended, and the bill taken up for consideration.

Considered engrossed, read third time, and passed.

Senate Bill No. 192, above reported.

Rules suspended, and the bill taken up for consideration.

Considered engrossed, read third time, and passed.

Mr. Lewis offered a resolution, as follows:

Resolved, That from and after Monday, the twenty-first day of January, eighteen hundred and seventy-eight, the Senate will take a recess from twelve o'clock m. to twelve o'clock and thirty minutes p. m. of each day, when the Senate is in session.

Laid on the table.

ADJOURNMENT.

At three o'clock and thirty-two minutes p. m., on motion of Mr. Pierson, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SATURDAY, January 19th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Boyston, Brown of Amador, Coleman, Craig, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Hilborn, Hall, Howe, Lambert, Lewis, McCarthy, McCoppin, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

On motion of Mr. Pierson, the reading of the Journal of yesterday was dispensed with, and the same approved.

Messrs. Brown of El Dorado, Rogers, and Nunan, were granted leave of absence for one day each.

ASSEMBLY MESSAGE.

On motion of Mr. Pierson, the following Assembly message was taken up.

ASSEMBLY CHAMBER,
SACRAMENTO, January 19th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the sixteenth day of January, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 120—An Act declaratory of and supplemental to an Act entitled an Act to authorize the City and County of San Francisco to provide and maintain public water works for said city and county, and purchase private property for that purpose, approved March twenty-seventh, eight-hundred and seventy-six.

And, on the eighteenth day of January, amended and passed Senate Bill No. 199—An Act to amend the Penal Code, by adding a new section, to be known as section four hundred and twenty.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 120, above reported.

Read first and second times, and referred to the San Francisco delegation.

Senate Bill No. 199, above reported.

Assembly amendment concurred in.

REPORTS.

Reports were submitted, as follows :

By Mr. Ream :

SENATE CHAMBER,
SACRAMENTO, January 19th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 199—An Act to amend the Penal Code, by adding a new section, to be known as section four hundred and twenty.

D. REAM, Chairman.

SENATE CHAMBER,
SACRAMENTO, January 19th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Joint Resolution No. 18—Relative to desert lands.

Also, Senate Bill No. 116—An Act to define the powers of the Board of Supervisors of the City and County of San Francisco, with reference to contracts.

Also, Senate Bill No. 138—An Act to amend section three thousand and sixty-one of the Political Code, relating to local Boards of Health.

Also, Senate Bill No. 67—An Act to add another section to the Civil Code, in relation to marriage.

Also, Senate Joint Resolution No. 16—Relative to the improvement of Feather River.

REAM, for the Committee.

By Mr. Searls:

MR. PRESIDENT: The Corporation Committee, to whom was referred Senate Bill No. 20—An Act to amend section five hundred and seventy-four of the Civil Code—having had the same under consideration, report it back, and recommend that it do not pass.

Also, having had under consideration Senate Bill No. 25—An Act to add three sections to the Civil Code, to be known as sections four hundred and four, four hundred and five, and four hundred and six, and to repeal an Act in relation to foreign corporations, approved April first, eighteen hundred and seventy-two—report it back, and recommend that it do not pass.

Also, having had under consideration Senate Bill No. 193—An Act to amend section twenty-one hundred and eighty of the Civil Code—report it back with a substitute, and recommend the passage of such substitute.

NILES SEARLS, Chairman.

Mr. Murphy of San Luis Obispo verbally reported Senate Bill No. 215—An Act supplementary to an Act entitled an Act to provide for the construction of a railroad from the Bay of San Luis Obispo, in the County of San Luis Obispo, to Santa Maria, in the County of Santa Barbara—recommending its passage.

Rules suspended, and the bill above reported taken up for consideration.

Considered engrossed, read third time, and passed.

INTRODUCTION OF BILLS.

Bills were introduced, as follows :

By Mr. Lewis—An Act to repeal an Act entitled an Act to prevent hogs from running at large in the Towns of Red Bluff and Tehama, in Tehama County.

Read first and second times.

Rules suspended, and the bill taken up for consideration.

Considered engrossed, read third time, and passed.

By Mr. Pierson—An Act for the protection of children, and to prevent and punish certain wrongs to children.

Also, an Act relating to children.

Each of the above bills read first and second times, and referred to the Judiciary Committee.

By Mr. Murphy of San Luis Obispo—An Act to extend the time for collecting delinquent State and county taxes in the Counties of San Luis Obispo, Santa Barbara, and Ventura.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Dean—An Act to amend section three thousand three hundred and eighty-two of the Political Code, by removing taxation from the manufactured products of wheat.

Read first and second times, and referred to the Committee on Agriculture.

By Mr. Montgomery—An Act to amend certain sections of the Political Code.

Read first and second times, and referred to the Committee on Finance.

By Mr. Murphy of San Francisco—An Act to authorize the Board of Supervisors of the City and County of San Francisco to make provision for deficiency in the Street Department Fund, of the fiscal year eighteen hundred and seventy-seven and seventy-eight.

Read first and second times.

Rules suspended, and the bill taken up for consideration.

Considered engrossed.

Read third time, and passed.

By Mr. Curtis—An Act concerning cost in State tax cases.

Read first and second times, and referred to the Judiciary Committee.

MOTIONS AND RESOLUTIONS.

Mr. Goodwin offered a resolution, as follows :

Resolved, That the Senate Engrossing Committee be respectfully requested to return Senate Bill No. 218 to the Senate, for correction.

Adopted.

GENERAL FILE.

Substitute for Senate Bill No. 122—An Act to add a new section to the Penal Code, to be numbered section four hundred and two.

Withdrawn by Mr. Craig, by general consent.

Senate Bill No. 74—An Act to amend section six hundred and eleven of the Political Code, relative to insurance.

Amendment adopted.

Rules suspended, considered engrossed, read third time, and passed.

Mr. Lewis, for the Judiciary Committee (by leave), verbally reported Senate Bill No. 161—An Act to regulate the powers of the Boards of Supervisors of the several counties of this State, except the City and County of San Francisco, recommending that the bill do not pass.

On motion of Mr. Norton, the rules were suspended, and the bill above reported, taken up for consideration.

Amended, to make the provisions of the bill applicable only to the County of Placer.

Ordered engrossed.

Title amended, to conform to the amendment to the bill.

GENERAL FILE RESUMED.

Senate Bill No. 145.

Passed on file.

Assembly Bill No. 12—An Act to authorize the transfer of moneys in certain funds of the County of Alameda to the General Fund of said county, and provide for the payment of certain warrants, if any, now outstanding.

Read third time, and passed.

Assembly Bill No. 145—An Act authorizing and empowering the Trustees of Dockery School District, in the County of Butte, to repay certain moneys.

Read third time, and passed.

Senate Bill No. 159—An Act to amend section six of an Act entitled an Act to re-incorporate the Town of Woodland, approved March twenty-fourth, eighteen hundred and seventy-four.

Read third time, and passed.

REPORTS.

Mr. McCarthy submitted the following report:

SENATE CHAMBER,

SACRAMENTO, January 19th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 16—An Act to amend section five hundred and ninety-six of the Civil Code.

Also, Senate Bill No. 62—An Act supplemental to an Act entitled an Act to provide for the maintenance of the indigent sick of Siskiyou County, approved April twenty-second, eighteen hundred and sixty-one.

Also, Senate Bill No. 181—An Act to amend an Act entitled an Act to enforce the collection of poll taxes in the County of Calaveras, approved March twentieth, eighteen hundred and seventy-four.

Also, Senate Joint Resolution No. 5—Relative to Chinese immigration.

Also, Senate Bill No. 199—An Act to amend the Penal Code, by adding a new section, to be known as section four hundred and twenty.

And this day, at eleven o'clock and forty-five minutes A. M., presented the same to the Governor.

T. MCCARTHY, for Committee.

Mr. Murphy of San Luis Obispo submitted the following report:

MR. PRESIDENT: The Committee on Contingent Expenses have had under consideration the accompanying resolution, and report the same back, and recommend its passage.

P. W. MURPHY.

Resolved, That the Committee on Finance and Claims be and hereby are allowed a Clerk, at a per diem of five dollars, payable out of the contingent expenses of the Senate.

Adopted.

ADJOURNMENT.

At eleven o'clock and fifty-five minutes A. M., on motion of Mr. Murphy of San Francisco, the Senate adjourned until Monday, the twenty-first instant, at one o'clock P. M.

IN SENATE.

SENATE CHAMBER,
MONDAY, January 21st, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Boyston, Brown of Amador, Brown of El Dorado, Coleman, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Haymond, Hill, Howe, Lambert, Lewis, McCarvey, Montgomery, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, and Whitney.

Quorum present.

The Journal of Saturday last was read and approved.

Messrs. Murphy of San Francisco, McCarthy, Nunan, and McCoppin, were granted leave of absence for one day each, and Messrs. Smith and Beazell, for two days each.

PETITIONS.

The President presented to the Senate a communication from D. Kearney, President, and H. L. Knight, Secretary, of the Workingman's party of this State, relative to the position of said party and its interests.

Received, and on motion of Mr. Lewis, referred to a special committee of three, to be appointed by the President.

REPORTS.

Mr. Lambert presented a report, as follows:

MR. PRESIDENT: Your Committee on Federal Relations have had under consideration Assembly Joint Resolution No. 35—Relative to subsidies to steamship companies on the Pacific Ocean—and herewith report the same back, and recommend its passage.

LAMBERT, Chairman.

INTRODUCTION OF BILLS.

Bills were introduced, as follows:

By Mr. Donovan—An Act to provide for the appointment of a Bureau of Labor Statistics.

Read first and second times, and referred to the Special Committee on the Labor Question.

Also, an Act to establish the grade of Seventh Street, between Bryant and Brannan Streets, in the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

Also, an Act to amend sections two hundred and ninety and two hundred and ninety-seven of the Penal Code, and to add another section thereto, to be known as section two hundred and ninety-eight.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Murphy of San Luis Obispo—An Act to confer further powers on the Common Council of the City of Santa Barbara.

Read first and second times, and referred to the Committee on Corporations.

GENERAL FILE.

Senate Bill No. 145—An Act to pay the claim of the County of Sacramento.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 67—An Act to add another section to the Civil Code, in relation to marriage.

Read third time, and passed.

Senate Bill No. 20—An Act to amend section five hundred and seventy-four of the Civil Code.

On motion of Mr. Haymond, the bill was re-referred to the Committee on Corporations.

Mr. Lewis moved that Senate Bill No. 51, a special order for Friday, the twenty-fifth, at one o'clock p. m., be considered as a special order for Wednesday, the twenty-third instant, at the same hour.

Mr. Evans raised a point of order, that it required a two-thirds vote to change the order of the Senate, which made the bill a special order for Friday, or to take the bill up at this time, in order to consider the motion.

The Chair sustained the point of order.

On the motion of Mr. Lewis, the ayes and noes were demanded by Messrs. Lewis, Evans, and Fowler.

The roll was called, resulting as follows:

AYES—Messrs. Brown of Amador, Brown of El Dorado, Coleman, Craig, Curtis, Dean, Flint, Fowler, Gwin, Lewis, McGarvey, Murphy of San Luis Obispo, Murphy of Santa Clara, Pierson, Ream, and Searls—16.

NOES—Messrs. Boyston, Crane, Donovan, Evans, Goodwin, Hill, Howe, Lambert, Montgomery, Norton, Rogers, Shirley, and Whitney—13.

The motion was lost, two-thirds failing to vote in the affirmative.

GENERAL FILE RESUMED.

Senate Bill No. 25—An Act to add three sections to the Civil Code, to be known as sections four hundred and four, four hundred and five, and four hundred and six, and to repeal an Act in relation to foreign corporations, approved April first, eighteen hundred and seventy-two.

Indefinitely postponed.

Substitute for Senate Bill No. 193—An Act to amend section two thousand one hundred and eighty of the Civil Code.

Substitute adopted.

Ordered engrossed.

The President appointed as members of the special committee to consider the labor question, Messrs. Lewis, Dean, and Fowler.

ADJOURNMENT.

At two o'clock and thirty-six minutes p. m., on motion of Mr. Pierson, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

TUESDAY, January 22d, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Boyston, Brown of Annador, Brown of El Dorado, Coleman, Crane, Curtis, Dean, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Norton, Numan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, and Whitney.

Quorum present.

The Journal of yesterday was read and approved.

On motion of Mr. Goodwin, Senate Bill No. 218 was ordered printed.

The President presented a communication from the Secretary of State, as follows:

STATE OF CALIFORNIA, DEPARTMENT OF STATE,)
SACRAMENTO, January 21st, 1878.)

To the Honorable the Senate of the State of California:

I would respectfully report to your honorable body that, on the fourth instant, I received a copy of Senate Concurrent Resolution No. 8, and on the same day caused certified copies thereof to be forwarded to the County Clerks of the counties who had not then made return of the total vote of their respective counties, and who persisted in sending only the vote polled on the constitutional question: but after sending several letters explaining the meaning of the words "total vote of your county," I am now in receipt of the total vote of each of the counties in the State, except Humboldt (which has made no response as yet to the resolution) and San Diego, the Clerk of which latter county, either willfully or from ignorance, still persists in misinterpreting the said resolution.

The returns now on file show the total vote of the State to be one hundred and forty-six thousand one hundred and ninety-seven, being seven hundred and twenty-three majority in favor of the Convention, with Humboldt and San Diego yet to hear from.

Respectfully,

THOMAS BECK, Secretary of State.

PETITIONS.

Mr. Haymond presented a set of resolutions, adopted by citizens of Sacramento City, in reference to an Act adding section four hundred and twenty to the Penal Code, etc.

Received, ordered printed, and referred to the Judiciary Committee.

By Mr. Hill—From citizens of Kern County, relating to the Paris Exposition.

Received, and referred to the Committee on Finance.

By Mr. Whitney—From citizens of Petaluma, Sonoma County, asking that equal political rights be extended to all American citizens, irrespective of sex.

Received, and referred to the Judiciary Committee.

REPORTS.

Mr. Ream submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, January 22d, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 189—An Act to amend an Act entitled an Act to widen English Street, in the City of Petaluma, and to take private lands therefor, approved March twenty-fifth, eighteen hundred and seventy-six.

Also, Senate Bill No. 192—An Act to amend an Act entitled an Act to prevent hogs and goats running at large on certain lands in this State, approved March thirty-first, eighteen hundred and seventy-six.

Also, Senate Bill No. 160—An Act to amend section one thousand three hundred and eighty-six of the Penal Code.

Also, Senate Bill No. 130—An Act to extend the time for the construction of a raceway through the City of Placerville.

Also, Senate Bill No. 172—An Act for the relief of Richard H. Stretch.

Also, Senate Joint Resolution No. 23—Relative to public lands in this State.

REAM and FLINT, for the Committee.

Mr. McGarvey, for the Judiciary Committee, verbally reported Senate Bill No. 121—An Act to amend an Act entitled an Act to amend an Act to reincorporate the City of Stockton, approved March twenty-seventh, eighteen hundred and seventy-two, approved February twenty-eighth, eighteen hundred and seventy-four—without recommendation.

Mr. Evans, stating that he introduced the bill by request, asked leave to withdraw the bill.

So ordered, by general consent.

ASSEMBLY MESSAGE.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, January 21st, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the seventeenth day of January, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 204—An Act repealing section four of an Act extending the provisions of an Act entitled an Act concerning hogs found running at large in the Counties of Colusa, Tehama, Butte, Sonoma, and Napa, to Modoc County, approved March twenty-third, eighteen hundred and seventy-four—so far as the same relates to that portion of Modoc County known as Adin Township.

Also, Assembly Bill No. 221—An Act to ratify and confirm a contract made by the City of Monterey.

Also, Assembly Bill No. 73—An Act to create an irrigation district, to be called the West Side Irrigation District, embracing certain portions of the Counties of San Joaquin, Stanislaus, Merced, and Fresno.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 204, above reported.

Read first and second times, and referred to the Committee on Agriculture.

Assembly Bill No. 221, above reported.

Read first and second times, and referred to the delegation named in the bill.

Assembly Bill No. 73, above reported.

Read first and second times, and referred to the Committee on Irrigation and Water Rights.

INTRODUCTION OF BILLS.

Bills were introduced, as follows:

By Mr. Fowler—An Act regulating the forming and impaneling of trial jurors for the Courts of Record in Tulare County.

By Mr. Crane—An Act to amend an Act entitled an Act to create the Twenty-first Judicial District, approved February fifteenth, eighteen hundred and seventy-six, by changing the date of holding terms of Court in said district.

By Mr. Shirley—An Act to confer additional powers on the Board of Supervisors of Contra Costa County.

By Mr. McCoppin—An Act relating to advances, *bona fide*, made to agents intrusted with goods, and for the better protection of such advances.

Each of the above bills read first and second times, and referred to the Judiciary Committee.

By Mr. Brown of El Dorado—An Act entitled an Act to add another section to the Penal Code, to be known as section six hundred and fifty-five.

Read first and second times, and referred to the Judiciary Committee.

RESOLUTIONS.

Resolutions were offered, as follows:

By Mr. Hilborn:

Resolved, That the Superintendent of State Printing be requested to furnish to the Senate an estimate of the cost of composition, press-work, paper, and binding, of a series of Readers, such as the Pacific Coast Readers and McGulley's series of Readers: the work to be done by the State, under its present system.

That he be requested to estimate the cost of the first edition of one thousand, and also the cost of each succeeding thousand.

Adopted.

By Mr. Haymond:

Resolved, That the Sergeant-at-Arms of the Senate is hereby instructed to dispose of the Reports of the Committee on Chinese Immigration, as follows:

First—One copy thereof to each newspaper in this State, and one copy, each, to the leading newspapers of other States.

Second—To the Governor of each State ten copies, and to each member of Congress five copies, and to each one bound copy.

Third—To the President and heads of Departments, each, one bound copy.

Fourth—To each person whose articles on the question have been used by the committee, fifty copies, including one bound copy.

Fifth—To each member of the Legislature, twenty-five copies, including one bound copy.

Sixth—To each reporter and attaché of the Legislature, five copies.

Seventh—To each public library in the State, one bound copy.

Eighth—To the Secretary of State, the balance for delivery, in his discretion, to such citizens and organizations of the State as may apply for the same.

Adopted.

GENERAL FILE.

Senate Bill No. 208—An Act to add a new section to the Penal Code, to be known as section two hundred and fifty-eight.

Re-referred to the Judiciary Committee.

Substitute for Senate Bill No. 33—An Act to regulate the fees and establish the compensation of the County Recorder of the County of Placer, and to repeal an Act entitled an Act to fix the salary of the County Recorder of the County of Placer, approved March twenty-seventh, eighteen hundred and seventy-four.

Ordered at the head of the general file for Tuesday, the fifth of February.

Senate substitute for Assembly Bill No. 41—An Act to fix the terms of the County and Probate Courts in and for the County of Lake.

Re-referred to the Lake County delegation.

Assembly Joint Resolution No. 35—Relative to subsidies to steamship companies on the Pacific Ocean.

Reported from Committee of the Whole, with amendments.

Re-referred, with pending amendments, to the Committee on Federal Relations.

SPECIAL ORDER.

Senate Bill No. 100—An Act to amend section five hundred and seventy-one of the Civil Code, and to add a new section to said Civil Code, to be numbered five hundred and eighty, in regard to savings and loan corporations.

On motion of Mr. Pierson, the bill was re-referred to the Committee on Corporations.

ASSEMBLY MESSAGES.

The following messages from the Assembly were taken up:

ASSEMBLY CHAMBER,
SACRAMENTO, January 22d, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twenty-first day of January, A. D. eighteen hundred and seventy-eight, adopted Assembly Joint Resolution No. 37—Relative to a joint committee to revise the revenue law, in regard to assessing.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, January 22d, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twenty-first day of January, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 25—An Act to amend sections two thousand five hundred and sixty-seven and two thousand five hundred and sixty-eight of the Political Code.

Also, Assembly Bill No. 122—An Act in relation to roads and highways in the County of Butte.

Also, Assembly Bill No. 136—An Act to amend sections seven hundred and fifty-two, seven hundred and fifty-three, seven hundred and fifty-four, and seven hundred and fifty-five of the Political Code.

And indefinitely postponed Senate Bill No. 65—An Act making appropriations for deficiency in the appropriation for the payment of salaries of District Judges for the twenty-eighth fiscal year.

Also, amended and passed Senate Bill No. 45—An Act to amend an Act entitled an Act authorizing the Trustees of the San Buenaventura School District, of the County of Santa Barbara, in this State, to issue bonds for said district, for the sum of ten thousand dollars.

And passed Senate Bill No. 69—An Act to pay the claim C. H. Krebs.

Also, Senate Bill No. 71—An Act to ratify and confirm an ordinance of the City of Oakland, entitled an ordinance abandoning certain streets in East Oakland, approved May twentieth, eighteen hundred and seventy-six.

Also, Senate Bill No. 39—An Act to repeal an Act entitled an Act to create a Board of Public Works in and for the City of Los Angeles.

Also, Senate Bill No. 40—An Act to ratify certain acts and proceedings of the Common Council of the City of Los Angeles.

Also, concurred in Senate Concurrent Resolution No. 30—In regard to a Joint Committee to receive proposals for translating the laws into Spanish—and the Speaker appointed as the committee, on the part of the Assembly, Messrs. Nealley, Warden, and Swift.

Also, concurred in Senate amendment to Assembly Concurrent Resolution No. 34—and the Speaker appointed as the committee, on part of the Assembly, Messrs. Swift, Waters, Haile, Gildea, and Meyers.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Joint Resolution No. 37, above reported.

Read first and second times, and referred to the Judiciary Committee.

Assembly Bills Nos. 25, and 136, above reported.

Each read first and second times, and referred to the Judiciary Committee.

Assembly Bill No. 122, above reported.

Read first and second times, and referred to the Butte County delegation.

Senate Bill No. 45, above reported.

Assembly amendments to the bill concurred in.

ADJOURNMENT.

At one o'clock and fifty-five minutes P. M., on motion of Mr. Evans, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
WEDNESDAY, January 23d, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilbern, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Pierson, Reain, Rogers, Satterwhite, Searls, Shirley, and Whitney.

Quorum present.

The Journal of yesterday was read and approved.

The President announced the appointment of the following committees:

On translation of the laws into Spanish, Messrs. Murphy of Santa Clara, Shirley, and Flint.

Senate Committee on Constitutional Convention, Messrs. Pierson, Searls, McCoppin, Haymond, and Lewis.

The President presented the following communication from the Secretary of State:

STATE OF CALIFORNIA, DEPARTMENT OF STATE,
SACRAMENTO, January 22d, 1878. }

To the Honorable the Senate of the State of California:

I herewith transmit to your honorable body an amended statement of the vote polled in the several counties of the State upon the question of calling a Convention to revise and change the Constitution of the State of California, at the general election for members of Assembly, held Wednesday, the fifth day of September, eighteen hundred and seventy-seven. Also, the official statement of the total number of electors voting at said election, in each of the counties of the State, except the Counties of Humboldt and San Diego, which are estimated, they having failed to make the returns required by Senate Concurrent Resolution No. 8.

Very respectfully,

THOMAS BECK, Secretary of State.

The communication and tabulated statement were referred to the Joint Committee on Constitutional Convention.

REPORTS.

Reports were submitted, as follows:

By Mr. Searls:

MR. PRESIDENT: The Committee on Corporations have had under consideration Senate Bill No. 61—An Act to amend an Act entitled an Act to incorporate the Town of Alameda, approved March seventh, eighteen hundred and seventy-two, and an Act to amend said Act, approved March eighteenth, eighteen hundred and seventy-four, and an Act supplemental to and amendatory of both of said Acts, approved March twentieth, eighteen hundred and seventy-six—report the same back with a substitute, and recommend the passage of such substitute.

NILES SEARLS, Chairman.

The rules were suspended, and the bill taken up for consideration. Substitute adopted, considered engrossed, read third time, and passed. Ordered to the Assembly without engrossment.

By Mr. Lambert:

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 29—Relating to United States revenue laws—have had the same under consideration, and herewith report it back, and a majority of the committee recommend its passage.

Also, have had under consideration Senate Joint Resolution No. 27—Relative to trans-continental railroads—and herewith report the same back, and recommend that it do not pass.

LAMBERT, Chairman.

By Mr. Ream:

SENATE CHAMBER,
SACRAMENTO, January 23d, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 215—An Act supplementary to an Act entitled an Act to provide for the construction of a railroad from the Bay of San Luis Obispo, in the County of San Luis Obispo, to Santa Maria, in the County of Santa Barbara.

Also, Senate Bill No. 161—An Act regulating the powers of the Board of Supervisors of the County of Placer.

Also, Senate Bill No. 220—An Act to repeal an Act entitled an Act to prevent hogs from running at large in the Towns of Red Bluff and Tehama, in Tehama County.

Also, Senate Bill No. 226—An Act to authorize the Board of Supervisors of the City and County of San Francisco to make provision for deficiency in the Street Department Fund of the fiscal year eighteen hundred and seventy-seven and seventy-eight.

Also, Senate Bill No. 74—An Act to amend section six hundred and eleven of the Political Code, relative to insurance.

Also, Senate Bill No. 159—An Act to amend section six of an Act entitled an Act to incorporate the Town of Woodland, approved March twenty-fourth, eighteen hundred and seventy-four.

REAM and FLINT, for the Committee.

By Mr. Hill:

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Senate Bill No. 139—An Act entitled an Act to amend an Act concerning Agricultural Societies, approved March twelfth, eighteen hundred and fifty-nine—have considered the same, and herewith report the bill back, with favorable recommendation.

Also, Senate Bill No. 224—An Act to amend section three thousand three hundred and eighty-two of the Political Code, by removing taxation from the manufactured products of wheat—and herewith report the same back, recommending its passage.

HILL, Chairman.

By Mr. Hilborn:

MR. PRESIDENT: The Solano delegation, to whom was referred Senate Bill No. 91—Being an Act to authorize the Board of Supervisors of Solano County to erect a fire-proof building for

the protection of the records and papers in the offices of the County Clerk and County Recorder of said county—herewith report the same back with an amendment, and recommend the adoption of the amendment, and the passage of the bill as amended.

Respectfully submitted,

S. G. HILBORN, }
J. LAMBERT, } Solano delegation.

By Mr. Nunan:

MR. PRESIDENT: The San Francisco delegation, to whom was referred Senate Bill No. 4—An Act to regulate fares and sale of tickets on street railroads in the City and County of San Francisco—have had the same under consideration, report it back, and recommend that its author have leave to withdraw the same.

Also, Senate Bill No. 96—An Act to authorize the widening of Dupont Street, between Bush Street and Montgomery Avenue, in the City and County of San Francisco—have had the same under consideration, report it back, and recommend that it be indefinitely postponed.

Also, Senate Bills Nos. 90, 173, and 175—Relative to the new City Hall building, in the City and County of San Francisco—have had the same under consideration, report them back, and recommend passage of substitute.

Also, Senate Bill No. 174—An Act to ratify and validate a certain contract of the City and County of San Francisco—have had the same under consideration, report it back, and recommend its passage.

Also, Senate Bill No. 187—An Act to amend section sixty-eight of an Act entitled an Act to repeal the several charters of the City of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved April nineteenth, eighteen hundred and fifty-six—have had the same under consideration, report it back, and recommend its passage as amended.

EDWARD NUNAN, Chairman.

Mr. Hill, for the delegation, verbally reported Assembly Bill No. 41—An Act to fix the terms of the County and Probate Courts, in and for the County of Lake—recommending its passage.

Mr. Murphy of San Luis Obispo verbally reported Senate Bill No. 163—An Act concerning roads and highways in the County of San Benito—recommending its passage.

INTRODUCTION OF BILLS.

Bills were introduced, as follows:

By Mr. Beazell—An Act to create a Board of Fire and Police Commissioners of the City of Oakland.

Read first and second times, and referred to the Alameda delegation.

By Mr. Searls—An Act to amend an Act entitled an Act to incorporate the City of Nevada, and all Acts supplementary thereto.

Read first and second times, and referred to the delegation named in the bill.

Also, an Act to consolidate certain funds, and to create therefrom a permanent endowment for the University of California, of which the interest only shall be used by the Board of Regents, to meet current expenses.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Rogers—An Act to repeal an Act entitled an Act to amend the Penal Code, approved January nineteenth, eighteen hundred and seventy-eight.

By Mr. Gwin—An Act to amend section four hundred and eleven of the Code of Civil Procedure.

Also, an Act to amend section three hundred and seventy-nine of the Code of Civil Procedure.

By Mr. Murphy of Santa Clara—An Act to amend section six hundred and ninety of the Code of Civil Procedure.

By Mr. Haymond—An Act to provide for the payment by the State of California of the costs of certain criminal actions.

Each of the above bills read first and second times, and referred to the Judiciary Committee.

By Mr. Fowler—An Act to provide for a system of irrigation for the Counties of Fresno and Tulare.

Read first and second times, and referred to the Committee on Irrigation and Water Rights.

Also, an Act to amend the Political Code of the State of California.

Read first and second times, and referred to the Committee on Public Lands.

MOTIONS AND RESOLUTIONS.

Mr. Haymond moved to take from the table Senate Bill No. 12—An Act to amend section four thousand one hundred and nine of the Political Code.

Carried.

On motion of Mr. Lewis, the bill was re-referred to the Judiciary Committee.

On motion of Mr. Shirley, the State Prison Committee were granted indefinite leave of absence.

Mr. Nunan offered a resolution, as follows:

Resolved, That a committee of three be appointed to inquire into the cause of the present depression of the labor interests of the State of California, and that said committee be authorized to proceed to San Francisco and hold public sessions, not exceeding three days' duration; that they be authorized to employ a phonographic reporter, and that said committee report the result of their investigation to the Senate.

On motion of Mr. Rogers, the resolution was laid on the table.

By Mr. Nunan:

Resolved, That room number forty-seven be and it is hereby set apart as a ladies' dressing-room, and that Margaret Hennessey be and she is hereby appointed to take charge of the same, at a per diem of three dollars, payable out of the Contingent Fund of the Senate.

Mr. Pierson moved to refer the resolution to the Committee on Contingent Expenses.

Lost.

On adopting the resolution, the ayes and noes were demanded by Messrs. Nunan, Murphy of San Luis Obispo, and Satterwhite, and the Senate refused to adopt it by a vote, as follows:

AYES—Messrs. Boyston, Brown of Amador, Brown of El Dorado, Craig, Dean, Donovan, Evans, Flint, Haymond, McCarthy, McGarvey, Montgomery, Murphy of San Francisco, Norton, Nunan, and Whitney—16.

NOES—Messrs. Beazell, Coleman, Crane, Fowler, Goodwin, Gwin, Hilborn, Hill, Howe, Lambert, Lewis, McCoppin, Murphy of San Luis Obispo, Murphy of Santa Clara, Pierson, Ream, Rogers, Satterwhite, Searls, and Shirley—20.

The President presented the following communication:

STATE BOARD OF AGRICULTURE. }
SACRAMENTO, January 23d, 1878. }

Hon. J. A. Johnson, President Senate:

SIR: The Directors of the State Agricultural Society cordially invite yourself and the members of the Senate to be present at the annual meeting of the Society, this day (Wednesday), at three o'clock P. M., at the Pavilion, corner Sixth and M Streets.

Very respectfully, your obedient servant,

ROBERT BECK, Secretary.

ADJOURNMENT.

At twelve o'clock M., on motion of Mr. Evans, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
THURSDAY, January 24th, 1878. }

The Senate met pursuant to adjournment.

President pro tem. in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Boyston, Brown of El Dorado, Coleman, Craig, Dean, Donovan, Evans, Flint, Fowler, Haymond, Hulbern, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Pierson, Ream, Rogers, Satterwhite, and Searls.

Quorum present.

The Journal of yesterday was read and approved.

Mr. Smith was granted leave of absence for one day.

PETITIONS.

Mr. Murphy of San Luis Obispo presented a communication from the Cambria Grange, No. 25, P. of H., in reference to the passage of an Act concerning assessments.

Received, and referred to the Committee on Agriculture.

Mr. Howe presented a communication from the Managers and Trustees of the San Francisco Protestant Orphan Asylum, in reference to an Act for the purpose of condemning certain blocks in said city.

Received, and referred to the San Francisco delegation.

By Mr. Brown of Amador—A memorial of the Trustees and Managers of California State Woman's Hospital.

Received, and referred to the Committee on Finance.

REPORTS.

Reports were submitted, as follows:

By Mr. McGarvey:

MR. PRESIDENT: The Judiciary Committee have examined, and had under consideration, Senate Bill No. 205—An Act granting relief to taxpayers whose lands have been sold to the State—and report the same back, recommending its passage.

Also, Senate Bill No. 19—An Act to amend section three thousand six hundred and seventeen of the Political Code—and recommend that it do not pass.

Also, Senate Bill No. 30—An Act to amend section fourteen, and to reenact sections fifteen, sixteen, and seventeen of the Civil Code, relating to definitions—and report the same back, recommending its passage.

Also, Senate Bill No. 196—An Act to amend section one thousand three hundred and thirty of the Penal Code, in relation to witnesses—and recommend that it do not pass.

Also, Senate Bill No. 216—An Act to amend section three hundred and seventy-six of the Penal Code—and recommend its passage.

McGARVEY, Chairman.

Mr. Satterwhite, Chairman of the Committee on Irrigation and Water Rights, verbally reported Assembly Bill No. 73—An Act to create an irrigation district, to be called the West Side Irrigation District, embracing certain portions of the Counties of San Joaquin,

Stanislaus, Merced, and Fresno—recommending that the bill, with the Assembly amendments, be printed, and re-referred to the said committee.

So ordered.

By Mr. McCoppin:

MR. PRESIDENT: The Committee on Finance and Claims, to whom was referred Senate Bill No. 57—An Act to reimburse the County of Placer for moneys expended in the collection of State taxes—have had the same under consideration, and report it back, with a recommendation that it pass.

McCOPPIN, for the Committee.

By Mr. Flint:

MR. PRESIDENT: The Monterey delegation, to whom was referred Assembly Bill No. 221—An Act to ratify and confirm a contract made by the City of Monterey—asks leave to report the same back, recommending its reference to the Judiciary Committee, with the accompanying petition.

FLINT, of Delegation.

The bill, above reported, was so referred.

By Mr. Brown of El Dorado:

MR. PRESIDENT: The delegation to whom was referred Senate Bill No. 197—An Act to amend section one thousand seven hundred and twelve of the Political Code—having had the same under consideration, report it back to the Senate, and recommend its passage.

BROWN, for the Delegation.

Mr. Lambert, Chairman of the Committee on Federal Relations, verbally reported Senate Joint Resolution No. 12—Relating to the Texas Pacific Railroad—a majority recommending that the resolution do not pass.

By Mr. McCarthy for Mr. Beazell:

MR. PRESIDENT: The Alameda delegation, to whom was referred Senate Bill No. 237—An Act to create a Board of Fire and Police Commissioners of the City of Oakland—report the same back, and recommend its passage.

BEAZELL, for Delegation.

On motion of Mr. McCarthy, the rules were suspended, and the bill above taken up for consideration.

Considered engrossed, read third time, and passed.

By Mr. Nunan:

MR. PRESIDENT: The San Francisco delegation, to whom was referred Senate Bill No. 151—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof—have had the same under consideration, report it back, and recommend its passage as amended.

E. NUNAN, Chairman.

Mr. McGarvey, for the delegation, verbally reported Assembly Bill No. 102—An Act to authorize the Board of Supervisors to pay the claim of Abner D. Gerier, ex-Sheriff of Humboldt County—with amendments, recommending the passage of the bill as amended.

ASSEMBLY MESSAGE.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, January 24th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twenty-second day of January, A. D. eighteen hundred and seventy-eight, passed Assembly

Bill No. 141—An Act to extend the time for publishing the delinquent tax list in the Counties of San Luis Obispo, Santa Barbara, San Benito, Ventura, Fresno, Tulare, Kern, and Stanislaus.

And on the twenty-third instant, amended and passed Senate Bill No. 146—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Mayor, Auditor, and Treasurer thereof, and to authorize certain appropriations of money by said Board.

Also, passed Senate Bill No. 150—An Act to authorize certain appropriations of money by the Board of Supervisors of the City and County of San Francisco.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 141, above reported.

Read first and second times, and referred to the Committee on Finance and Claims.

Senate Bill No. 146, above reported, with Assembly amendments.

Of the three amendments to section two, two were concurred in.

One, the Senate refused concurrence.

The Senate refused to concur in the amendment to section three.

INTRODUCTION OF BILLS.

Bills were introduced, as follows :

By Mr. Howe—An Act for the increase and preservation of forest areas of the State.

Read first and second times, and referred to the Committee on Agriculture.

By Mr. Boyston—An Act to amend an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two, and concerning swamp and overflowed, salt marsh, and tide lands.

Read first and second times, and referred to the Committee on Swamp and Overflowed and Public Lands.

By Mr. Evans—An Act to confer additional powers upon the City Assessor of the City of Stockton.

Read first and second times, rules suspended, considered engrossed, and by unanimous consent, read third time, and passed.

Ordered transmitted to the Assembly without engrossment.

By Mr. Gwin—An Act to amend section six hundred and ninety of the Code of Civil Procedure.

Also, an Act to amend section two thousand nine hundred and fifty-five of the Civil Code.

Each of the above bills read first and second times, and referred to the Judiciary Committee.

By Mr. Nunan, for the San Francisco delegation—An Act to provide for the payment of the expenses of the Seventh Street Commission, in and for the City and County of San Francisco.

Read first and second times, rules suspended, considered engrossed, and by unanimous consent, read third time, and passed.

And subsequently ordered to the Assembly without engrossment.

By Mr. Brown of Amador—An Act making an appropriation for the California State Woman's Hospital.

Read first and second times, and referred to the Committee on Finance and Claims.

GENERAL FILE.

Senate Joint Resolution No. 29—Relating to United States Revenue Laws.

Re-referred to the Committee on Federal Relations, with a pending amendment.

[Mr. Evans in the chair.]

Senate Joint Resolution No. 27—Relative to trans-continental railroads.

Re-referred to the Committee on Federal Relations, with pending amendments.

Senate Bill No. 161—An Act regulating the powers of the Board of Supervisors of the County of Placer.

Read third time, and passed.

Senate Bill No. 139—An Act entitled an Act to amend an Act concerning Agricultural Societies, approved March twelfth, eighteen hundred and fifty-nine.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 224—An Act to amend section three thousand three hundred and eighty-two of the Political Code, by removing taxation from the manufactured products of wheat.

Amended.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 91—An Act to authorize the Board of Supervisors of Solano County to erect a fire-proof building for the protection of the records and papers in the offices of the County Clerk and County Recorder of said county.

Amended.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 4—An Act to regulate fares and sale of tickets on street railroads in the City and County of San Francisco.

Withdrawn by Mr. Howe, the author of the bill, by general consent.

Senate Bill No. 96—An Act to authorize the widening of Dupont Street, between Bush Street and Montgomery Avenue, in the City and County of San Francisco.

Withdrawn by Mr. Pierson, the author of the bill, by general consent.

Substitute for Senate Bills Nos. 90, 173, and 175—An Act supplementary to an Act entitled an Act to provide for the completion of the building, in the City and County of San Francisco, known as the new City Hall, approved March twenty-fourth, eighteen hundred and seventy-six.

Substitute adopted.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 174—An Act to ratify and validate a certain contract of the City and County of San Francisco.

Mr. Craig moved to re-refer the bill to the San Francisco delegation.

Lost.

Mr. Craig moved to make the bill a special order for three weeks from to-day.

Lost.

[President pro tem. in the chair.]

Amendment adopted in the Committee of the Whole concurred in.

Mr. Murphy of San Francisco moved to suspend the rules, to place the bill upon its third reading and passage.

On which the ayes and noes were demanded by Messrs. Craig, McCoppin, and Murphy of San Francisco, and the motion prevailed by a vote, as follows:

AYES—Messrs. Dean, Donovan, Flint, Fowler, Gwin, Haymond, Hilborn, Howe, Lewis, McCarthy, McCoppin, Metjarvey, Murphy of San Francisco, Nunan, Pierson, Ream, Rogers, Satterwhite, and Searls—19.

NOES—Messrs. Brown of Amador, Brown of El Dorado, Coleman, Craig, and Norton—5.

The bill was considered engrossed.

Read third time, and passed.

Mr. Rogers, by leave, offered a resolution, as follows:

WHEREAS, There is now being held in the City of San Francisco a State Convention, composed of delegates from all parts of the State, said Convention representing the labor interests of the State, which is now being crystalized into a large and powerful party: and whereas, said Convention is being interfered with by the police and other officers of the law, contrary to the Constitution of the United States and this State, and against the spirit and tenor of American teachings of civil liberty; therefore

Resolved by the Senate of the State of California. That we do not approve of said unlawful interference, and ask that it may not be repeated in the future.

Mr. Rogers moved the adoption of the resolution.

On motion of Mr. McCarthy, the resolution was referred to the Judiciary Committee.

ADJOURNMENT.

At two o'clock and twenty minutes P. M., on motion of Mr. Satterwhite, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
FRIDAY, January 25th, 1878. }

The Senate met pursuant to adjournment.

President pro tem. in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Haymond, Hilborn, Howe, Lambert, Lewis, McCoppin, Metjarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, and Smith.

Quorum present.

The Journal of yesterday was read and approved.

PETITIONS.

Petitions were presented, as follows:

By Mr. Howe—Report of Trustees of Home for care of the Inebriate, for the year eighteen hundred and seventy-seven.

Received, and referred to the Committee on Finance and Claims.

By Mr. Haymond—A memorial from the workingmen of Sacramento, asking that legislation be had having for its object the printing of text-books by the State.

Received, and referred to the Committee on Education.

By Mr. Curtis—A petition from journeymen printers of the State, favoring the passage of an Act enabling the State to print all the text-books required for public schools.

Received, and referred to the Committee on Education.

REPORTS.

Reports were submitted, as follows:

MR. PRESIDENT: The San Francisco delegation, to whom was referred Senate Bill No. 186—An Act in relation to the office of Sheriff of the City and County of San Francisco—have had the same under consideration, report it back, and recommend its passage as amended.

E. NUNAN, Chairman.

Subsequently, on motion of Mr. Craig, the rules were suspended, and the bill above reported taken up for consideration.

Mr. Murphy of San Francisco offered a substitute for the bill.

Substitute adopted, considered engrossed, read third time, and passed.

ASSEMBLY MESSAGE.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, January 24th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twenty-third day of January, A. D. eighteen hundred and seventy-eight, passed Assembly Joint Resolution No. 10—Relative to reserving the fresh waters upon public lands.

Also, Assembly Bill No. 191—An Act relative to certain duties of Constables in the several townships of the County of Alameda.

Also, Assembly Bill No. 192—An Act relative to executions from Courts of Justices of the Peace in the several townships of the County of Alameda.

Also, Assembly Bill No. 56—An Act to legalize and enforce the collection of a district school tax, and to render lawful the acts of the Board of Trustees of North Butte School District, pursuant to an election held therein.

Also, Assembly Bill No. 139—An Act to amend the Code of Civil Procedure, with respect to grand juries, in the City and County of San Francisco.

And, on the twenty-second instant, passed Assembly Bill No. 198—An Act relative to division fences in the County of Sonoma, and to the lines of counties bordering thereon.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Joint Resolution No. 10, above reported.

Read first and second times, and referred to the Committee on Public Lands.

Assembly Bills Nos. 192 and 139, above reported.

Each read first and second times, and referred to the Judiciary Committee.

Assembly Bills Nos. 191 and 198, above reported.

Each read first and second times, and referred to the delegations named in the bill.

Assembly Bill No. 56, above reported.

Read first and second times, and referred to the Committee on Education.

INTRODUCTION OF BILLS.

Bills were introduced, as follows:

By Mr. Evans—An Act to ratify and confirm ordinance number sixty-four, passed by the City Council of the City of Stockton, and approved by the acting Mayor of said city on the eighth day of December, eighteen hundred and seventy-seven.

Read first and second times, and referred to the Judiciary Committee.

Also, an Act to amend an Act entitled an Act to re-incorporate the City of Stockton, approved March twenty-seventh, A. D. one thousand eight hundred and seventy-two.

Read first and second times, and referred to the Committee on Corporations.

By Mr. Howe—An Act conferring further powers upon the Board of Supervisors of the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Pierson—An Act for the better protection of stockholders in incorporated companies.

By Mr. Montgomery—An Act to add another section to the Civil Code, to be numbered one thousand and twenty.

Each of the above bills read first and second times, and referred to the Judiciary Committee.

By Mr. Hilborn—An Act to provide for the erection of bronze statues for the State Capitol.

Read first and second times, and referred to the Committee on Public Buildings.

By Mr. Smith—An Act to amend certain sections numbers thirteen hundred and fifty, thirteen hundred and sixty-five, thirteen hundred and sixty-eight, thirteen hundred and sixty-nine, and thirteen hundred and seventy-nine of the Code of Civil Procedure.

Read first and second times, and referred to the Judiciary Committee.

Mr. Ream submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, January 25th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Substitute for Senate Bill No. 193—An Act to amend section two thousand one hundred and eighty of the Civil Code.

Also, Senate Bill No. 145—An Act to pay the claim of the County of Sacramento.

Also, Senate Bill No. 45—An Act to amend an Act entitled an Act authorizing the Trustees of San Buenaventura School District, of the County of Santa Barbara, in this State, to issue bonds for said district, for the sum of ten thousand dollars.

D. REAM, for the Committee.

Mr. McGarvey, for the delegation (by leave), verbally reported Assembly Bill No. 78—An Act to empower the Board of Supervisors of Mendocino County to sell certain road and bridge bonds, and apply the proceeds thereof—recommending its passage.

On motion of Mr. McGarvey, the rules were suspended, and the bill taken up for consideration.

Read third time, and passed.

GENERAL FILE.

Senate Bill No. 187—An Act to amend section sixty-eight of an Act entitled an Act to repeal the several charters of the City of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved April nineteenth, eighteen hundred and fifty-six.

Amended.

Rules suspended, considered engrossed, read third time, and passed.

Senate substitute for Assembly Bill No. 41—An Act to repeal certain Acts in relation to the terms of the County and Probate Courts in certain counties, and to amend sections eighty-eight and eighty-nine of the Code of Civil Procedure.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 163—An Act concerning roads and highways in the County of San Benito.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 19—An Act to amend section three thousand six hundred and seventeen of the Political Code.

And Senate Bill No. 196—An Act to amend section one thousand three hundred and thirty of the Penal Code, in relation to witnesses.

Each indefinitely postponed, on motion of Mr. Haymond, the author of the bills.

Senate Bill No. 50—An Act to amend section fourteen, and to reenact sections fifteen, sixteen, and seventeen of the Civil Code, relating to definitions.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 205—An Act granting relief to taxpayers whose lands have been sold to the State.

And Senate Bill No. 197—An Act to amend section one thousand seven hundred and twelve of the Political Code.

Each of the above bills were referred to the Judiciary Committee, on motion of Mr. McGarvey.

Senate Bill No. 216—An Act to amend section three hundred and seventy-six of the Penal Code.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 57—An Act to reimburse the County of Placer for moneys expended in the collection of State taxes.

Rules suspended, considered engrossed, read third time, and passed.

[Mr. Evans in the chair.]

Senate Joint Resolution No. 12—Relating to the Texas Pacific Railroad.

Ordered at the head of the General File for Thursday next.

Senate Bill No. 151—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof.

Amended.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Bill No. 102—An Act to authorize the Board of Supervisors to pay the claim of Abner D. Savier, ex-Sheriff of Humboldt County.

Amendments adopted.

Read third time, and passed.

REPORTS.

Mr. McCoppin, by leave, submitted a report, as follows:

MR. PRESIDENT: The Committee on Finance and Claims, to whom was referred Assembly Bill No. 141—An Act to extend the time for publishing the delinquent tax list in the Counties of San Luis Obispo, Santa Barbara, San Benito, Ventura, Fresno, Tulare, Kern, and Stanislaus—have had the same under consideration, and report it back, with a recommendation that it pass.

McCOPPIN, for Committee.

SPECIAL ORDERS.

Senate Joint Resolution No. 6—Relative to the remonetization of silver.

Senate Joint Resolution No. 21—Concerning the currency.

Mr. Satterwhite moved to postpone the special orders until Monday next, at same hour.

Lost.

Mr. Hilborn moved to postpone the same until seven o'clock Tuesday evening next.

Lost.

On motion of Mr. Lewis, the special orders were postponed until Thursday, February first, at twelve o'clock M.

RECESS.

At twelve o'clock and twenty-four minutes P. M., Mr. Lewis moved that the Senate take a recess until one o'clock P. M.

Agreed to.

RE-ASSEMBLED.

The Senate re-assembled at one o'clock P. M.

President pro tem in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Hilborn, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Norton, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, and Smith.

Quorum present.

[Mr. Evans in the chair.]

SPECIAL ORDER.

Senate Bill No. 51—An Act to foster home industries in the publication of text-books and to maintain the good faith of the State by reestablishing the contract heretofore entered into by and between A. L. Bancroft & Co. and the State Board of Education of the State of California.

The question being on the amendment to the bill, offered by Mr. Howe on the seventeenth instant, as follows:

Amend section three, page eight, line twelve, by striking out the words "thirty-five" and inserting the word "thirty;" line thirteen, by striking out the words "fifty-five" and inserting the word "fifty;" line fifteen, by striking out the words "one dollar" and inserting the words "seventy-five cents."

The ayes and noes were demanded by Messrs. Howe, Norton, and Lewis, and the amendment was rejected by a vote, as follows:

AYES—Messrs. Curtis, Donovan, Evans, Fowler, Howe, Lambert, McCarthy, McCoppin, Montgomery, Murphy of San Francisco, Rogers, Satterwhite, and Smith—13.

NOES—Messrs. Brown of Amador, Coleman, Craig, Crane, Flint, Haymond, Lewis, McGarvey, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Pierson, and Ream—14.

Reports were submitted, as follows:

By Mr. Craig:

SENATE CHAMBER,
SACRAMENTO, January 25th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 237—An Act to create a Board of Fire and Police Commissioners of the City of Oakland.

J. CRAIG, for the Committee.

By Mr. McCarthy:

SENATE CHAMBER,
SACRAMENTO, January 25th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 69—An Act to pay the claim of C. H. Krebs.

Also, Senate Bill No. 39—An Act to repeal an Act entitled an Act to create a Board of Public Works in and for the City of Los Angeles.

Also, Senate Bill No. 150—An Act to authorize certain appropriations of money by the Board of Supervisors of the City and County of San Francisco.

Also, Senate Joint Resolution No. 16—Relative to the improvement of Feather River.

And this day, at one o'clock and forty-five minutes P. M., presented the same to the Governor.

T. McCARTHY, Chairman.

Senate Bill No. 51 (continued).

Mr. Curtis offered a substitute for the bill.

[Mr. Rogers in the chair.]

Mr. Lewis moved that the bill, with substitute, be made the special order for to-morrow, at twelve o'clock M.—accepting an amendment, by Mr. Satterwhite, that the time be set immediately after the reading of the Journal, to-morrow.

The motion prevailed, as amended.

ADJOURNMENT.

At four o'clock and thirty-five minutes P. M., on motion of Mr. Fowler, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SATURDAY, January 26th, 1878. }

The Senate met pursuant to adjournment.

President pro tem. in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Hilborn, Howe, Lambert, Lewis, McCarthy, McCoppin, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Norton, Nunan, Pierson, Ream, Rogers, Satterwhite, and Smith.

Quorum present.

On motion of Mr. Hilborn, the reading of the Journal of yesterday was dispensed with, and the same approved.

Mr. Searls was granted indefinite leave of absence.

Mr. Hilborn (by leave) introduced a bill, as follows—An Act making an appropriation to pay the expenses of Presidential Electors.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

Ordered to the Assembly without engrossment.

On motion of Mr. Murphy of San Luis Obispo, the rules were suspended, and Assembly Bill No. 141—An Act to extend the time for publishing the delinquent tax list in the Counties of San Luis Obispo, Santa Barbara, San Benito, Ventura, Fresno, Tulare, Kern, and Stanislaus—was taken from the general file for consideration.

Amended.

Read third time, and passed.

Title amended.

INTRODUCTION OF BILLS.

Bills were introduced, as follows :

By Mr. Pierson—An Act to authorize the Board of Supervisors of the City and County of San Francisco to audit and pay a certain claim.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Lambert—An Act to provide for the appointment of a Reporter of the decisions of the Supreme Court.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Montgomery—An Act to authorize the Trustees of the Snelling School District, of Merced County, to pay the debt of said district.

Read first and second times, and referred to the Committee on Education.

Mr. McCoppin (by leave) offered a resolution, as follows :

WHEREAS, The rapid growth of the City of San Francisco will, in a very short time, render it necessary to have the improvement of the dock within the city limits, and a convenient and accessible place for exportation exists in the peninsula on which the city stands; therefore

Resolved, That our Senators and Representatives in Congress be requested to use their efforts to obtain from Congress a grant to the City of San Francisco of Angel Island, for so much thereof as is not needed for military purposes, for use as a quarantine, and the Governor is hereby requested to forward copies of this resolution to our Representatives in Washington.

Referred to the Committee on Federal Relations.

REPORTS.

Reports were submitted, as follows:

By Mr. Craig:

SENATE CHAMBER.

SACRAMENTO, January 25th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 224—An Act to amend section three thousand three hundred and eighty-two of the Political Code, by removing taxation from the manufactured products of wheat.

Also, substitute for Senate Bills Nos. 90, 173, and 175—An Act supplementary to an Act entitled an Act to provide for the completion of the building in the City and County of San Francisco, known as the new City Hall, approved March twenty-fourth, eighteen hundred and seventy-six.

Also, Senate Bill No. 139—An Act entitled an Act to amend an Act concerning Agricultural Societies, approved March twelfth, eighteen hundred and fifty-nine.

Also, Senate Bill No. 174—An Act to ratify and validate a certain contract of the City and County of San Francisco.

Also, Senate Bill No. 91—An Act to authorize the Board of Supervisors of Solano County to erect a fire-proof building for the protection of the records and papers in the offices of the County Clerk and County Recorder of said county.

Also, substitute for Senate Bill No. 186—An Act in relation to the office of Sheriff of the City and County of San Francisco.

CRAIG, for the Committee.

By Mr. Howe:

MR. PRESIDENT: The Committee on Commerce and Navigation have considered Senate Bill No. 134—An Act for the protection of the Harbor of Wilmington—report the same back to the Senate, and recommend its passage.

ROBERT HOWE, Chairman.

SPECIAL ORDER.

Bill and substitute made special order for Saturday, January twenty-sixth, eighteen hundred and seventy-eight, immediately after reading the Journal.

Senate Bill No. 51—An Act to foster home industries in the publication of text-books and to maintain the good faith of the State by reestablishing the contract heretofore entered into by and between A. L. Bancroft & Co. and the State Board of Education of the State of California.

Mr. Pierson offered a substitute to the substitute offered by Mr. Curtis, on yesterday, as follows:

Strike out all after the enacting clause, and insert the following:

SECTION 1. The State Board of Education of the State of California is hereby empowered, and it is hereby made their duty, to prescribe and enforce the use of a uniform series of text-books in the public schools of California, which books were adopted under the provisions of this Act, shall be continued in use in all the public schools of this State for a period of six years, from and after their adoption.

SEC. 2. An Act entitled an Act to prevent changes in the text-books in use in the public schools, approved December fifteenth, eighteen hundred and seventy-five; also, section eighteen hundred and seventy-four of the Political Code, and all other Acts and parts of Acts in conflict with the provisions of this Act, are hereby repealed.

SEC. 3. This Act shall take effect immediately.

[Mr. Rogers in the chair.]

Mr. Evans raised a point of order, that the substitute offered by Mr. Pierson is not in order, as its intent is to strike out and destroy the substitute now pending, instead of being an amendment to it. It is not germane to either the original bill, or to the substitute before the Senate.

During discussion, Mr. Satterwhite raised the point of order that the Chair should decide the point of order raised by Mr. Evans, without discussion.

The Chair sustained the point of order raised by Mr. Satterwhite, and ruled that the substitute, offered by Mr. Pierson, was in order.

Mr. Evans moved that the bill be ordered at the head of the

general file for Tuesday next, on which the ayes and noes were demanded by Messrs. Haymond, Craig, and Norton.

The roll was called, resulting as follows:

AYES—Messrs. Crane, Curtis, Donovan, Evans, Flint, Fowler, Howe, Lambert, Montgomery, Rogers, and Satterwhite—11.

NOES—Messrs. Brown of Amador, Craig, Lewis, McCoppin, Murphy of Santa Clara, Norton, Pierson, and Ream—8.

No quorum voting.

Mr. McCarthy (by leave) offered a bill, as follows—An Act to amend sections one and three of an Act entitled an Act to authorize the Assessor of the City and County of San Francisco to appoint deputies, approved January twenty-fifth, eighteen hundred and seventy.

Read first and second times, and referred to the San Francisco delegation.

On motion of Mr. Smith, special order, being Senate Joint Resolution No. 24, was postponed, and continued as a special order for Thursday, the thirty-first instant, at twelve o'clock M.

Senate Bill No. 51 (continued).

Mr. Lewis moved that the bill, with pending substitute, be made a special order for Tuesday, the twenty-ninth instant, at twelve o'clock M.

Carried.

ADJOURNMENT.

At four o'clock and fifteen minutes P. M., on motion of Mr. Evans, the Senate adjourned until Monday, the twenty-eighth instant, at one o'clock P. M.

IN SENATE.

SENATE CHAMBER,
MONDAY, January 28th, 1878. }

The Senate met pursuant to adjournment.

President pro tem. in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Brown of El Dorado, Coleman, Craig, Crane, Curtis, Flint, Fowler, Lambert, Lewis, McCarthy, McCoppin, Montgomery, Pierson, Ream, and Satterwhite.

No quorum present.

On motion of Mr. Satterwhite, Mr. Smith was granted two days' leave of absence.

CALL OF THE SENATE.

Mr. Pierson moved a call of the Senate.

Carried

ABSENTEES.

Messrs. Boyston, Brown of Amador, Donovan, Gwin, Evans, Hilborn, Howe, Murphy of San Francisco, Murphy of San Luis Obispo,

Murphy of Santa Clara, Norton, and Rogers, were found to be absent, without leave of the Senate.

Messrs. Norton, Evans, and Murphy of Santa Clara appeared, offered sufficient excuses for not being present at roll-call, and were excused.

On motion of Mr. Pierson, further proceedings under the call of the Senate were dispensed with.

The roll was called, and the following Senators answered to their names:

Messrs. Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Evans, Flint, Fowler, Haymond, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of Santa Clara, Norton, Pierson, Ream, and Satterwhite.

Quorum present.

On motion of Mr. Pierson, the reading of the Journal of Saturday last was dispensed with, and the same approved.

RECESS.

At one o'clock and twenty-eight minutes P. M., Mr. Pierson moved that the Senate take a recess until two o'clock P. M.

Carried.

RE-ASSEMBLED.

At two o'clock P. M. the Senate re-assembled.

President pro tem. in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Evans, Flint, Fowler, Haymond, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of Santa Clara, Norton, Pierson, Ream, and Satterwhite.

Quorum present.

Mr. Pierson moved a suspension of the rules that Senate Bill No. 51—An Act to foster home industries in the publication of text-books and to maintain the good faith of the State by reestablishing the contract heretofore entered into by and between A. L. Bancroft & Co. and the State Board of Education of the State of California, a special order for Tuesday, January twenty-ninth, eighteen hundred and seventy-eight, at twelve M., be discharged, and the bill made a special order for Thursday, the thirty-first instant, at one o'clock P. M.

Agreed to.

INTRODUCTION OF BILLS.

Bills were introduced, as follows:

By Mr. Haymond—An Act to amend section one thousand two hundred and seventy of the Civil Code, in relation to wills.

Read first and second times, and referred to the Judiciary Committee.

By Mr. McCoppin—An Act to regulate and limit the payment of money out of the treasury of the City and County of San Francisco.

By Mr. Craig—An Act to amend section two of an Act entitled an Act to create a City Criminal Court in and for the City and County

of San Francisco, approved April third, eighteen hundred and seventy-six.

Each of the above bills read first and second times, and referred to the San Francisco delegation.

IN MEMORIAM.

Mr. Murphy of Santa Clara rose in his seat, announced the death of Senator Anguey, and made the following remarks:

MR. PRESIDENT: It is with sadness of heart, that lips can but feebly express, that I announce the death of my late colleague in this body, Senator Anguey of Santa Clara County. There are occasions, Mr. President, when words of eulogium, however gracefully marshaled, must seem mute and unexpressive—when all forms of speech, must appear trite and common-place: occasions when the truest eloquence and the richest tribute is a mourner's tear. Sir, it is such an occasion that now oppresses me—the consciousness that the subject of my remarks is worthy a richer chaplet than my feeble efforts can hope to offer.

Nor, sir, is it this alone: the bereavement of to-day beclouds my tongue. The shadow of another grief is upon our hearts and rests like a dark pall over us all. It seems but yesterday that the messenger from that Power, "whose ways are not as our ways," was in our midst, and at his bidding one among our noblest and best was borne from our councils for ever. In our hearts the grief of our affliction is yet fresh: about us are the mementoes of that solemn departure. Time has neither softened the affliction nor soothed the pain, when lo! the dread messenger is again with us, and another is summoned to the "halls of death" within the short compass of a single month, and two among our worthiest have gone from among us forever. As we look upon their vacant seats, as we reflect upon these visitations, we may exclaim that the great reaper has garnered a rich harvest from this little band.

But in announcing this death, sad and painful as is the duty, our brother has but gone before—has shared the fate of the unnumbered past—but awaits the coming of the numberless of the future, and in his sepulchre but shares the common heritage of humanity. But, sir, from the grave that shall soon embrace all that is mortal of our associate, I turn with melancholy pleasure to the life that he lived.

To the memories that survived him I revert, to the record in words and in deeds, that a long life of patient usefulness has written, attesting his many virtues and endearing his memory to all who knew him or knew of him.

Senator Anguey was born in Pennsylvania. In the year eighteen hundred and fifty he emigrated to this State and established himself as a farmer in the County of Santa Clara. Skilful, industrious, and successful, as an agriculturist, he did not permit this vocation to engross all of his attention, but labored, by reading and study, to enlarge the range of his acquisitions and his capacity for public usefulness. A man possessed of such sterling traits could not long remain unnoticed, and he was soon known and estimated at his real worth. Among his neighbors and acquaintances, and with the citizens of Santa Clara, he so speedily ranked among the first, and when sound judgment and unswerving integrity were demanded, the name of Anguey was always among the first suggested.

It was with a character thus established that Santa Clara, more honored than honoring, named him one of her representatives in this body. The record of his first session here is part of the history of the State, and in these archives no word, no act, no vote, appears that any friend would wish could be changed, or that the most conscientious critic would ask should be explained.

Like himself, each act was but the outspoken expression of a fearless heart, anxious only to know the right, and sedulous only for the public interest. At the close of that session, he returned to his constituency and his plow, more beloved than ever in the affections of his people.

For the short time of the present session that he was with us, it is not necessary that I should advert; your memories will speak for me.

Mr. President, we miss this man to-day—we shall long miss him in our councils. In the important questions that press upon our attention—in the still graver ones of the immediate future—we shall miss his matured experience, his sound judgment, his enlightened mind. As a citizen of Santa Clara County his place will be soon taken—it will be long ere it can be filled. But, sir, there was another, a closer sphere in which he moved, over which a darker shadow rests, and where a keener loss is felt—in the community in which he lived, where he was best known—the faithful husband, the affectionate father, the true citizen, the trusted adviser, the tried friend. It is there that his real worth is known: it is those people who feel most deeply his loss, and to-day, for longies around his sleeping clay, there is mourning by the hearthstone and in households, as though in each its first-born lay dead. I know not what special creed, what formulated faith, was professed by the Senator; but I do know that neither creed nor form could narrow his vision or limit the field of his usefulness; that to benefit mankind, to do good to his fellows, was the object and the end to which his every effort was addressed. And, sir, speaking for myself, in the light of a faith that can never doubt—believing that to the

upright and good there is every reward and blessing—I know that to the Senator's dying ear the message that came was the bidding of the Master—

“Friend, go higher up.”

It is fitting that in this Commonwealth to which he gave the prime of his life and the maturity of his intellect, the “going forth” of this man be noted. That in this place that he honored—that in the archives that here attest his labors—his name be borne in perpetual remembrance. In conclusion, Mr. President, I desire to offer the following resolution:

Resolved by the Senate, the Assembly concurring, That a committee of five Senators be appointed by the President of the Senate, and five members of the Assembly, by the Speaker of the Assembly, to attend the funeral obsequies of the Honorable W. Z. Angney, at two o'clock P. M. to-morrow, at the City of Gilroy, in the County of Santa Clara; and further, that the Senate attend the funeral in a body.

The resolution was adopted unanimously, each Senator rising from his seat.

The President pro tem. appointed as the committee provided for under the resolution, on the part of the Senate, Messrs. Murphy of Santa Clara, Montgomery, Flint, Evans, and Fowler.

ASSEMBLY MESSAGE.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, January 28th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, concurred in the Senate resolution relative to the appointment of a committee to attend the funeral of the late Senator Angney. And the Speaker appointed, under said resolution, Messrs. Hanna, Hail, McComas, Sherman, and Breen, and that the Assembly adjourned until Wednesday, January thirtieth, eighteen hundred and seventy-eight.

E. L. CRAWFORD, Assistant Clerk.

The following resolutions, offered by Mr. Murphy of Santa Clara, were now taken up:

Resolved, That the members of this Senate wear the usual badge of mourning for thirty days: and be it further

Resolved, That as a further mark of respect to the memory of the deceased, the Senate do now adjourn until three o'clock P. M. on Wednesday, the thirtieth day of January, eighteen hundred and seventy-eight.

Adopted unanimously.

ADJOURNMENT.

When, at two o'clock and fifty minutes P. M., the President pro tem. declared the Senate adjourned until Wednesday, the thirtieth day of January, at three o'clock P. M.

IN SENATE.

SENATE CHAMBER,
WEDNESDAY, January 30th, 1878. }

The Senate met pursuant to adjournment.

President pro tem. in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McOppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Nunan, Pierson, Ream, and Satterwhite.

Quorum present.

The Journal of Monday last read and approved.

Mr. Norton was granted leave of absence for one day.

Mr. John W. Bones was presented at the bar of the Senate, by Mr. Curtis, as a Senator-elect from Alameda County, as successor to Senator Porter, deceased.

Mr. Bones presented his credentials, whereupon the oath of office was administered to him by Mr. Lewis, President pro tem. of the Senate, which reads as follows:

I, John W. Bones, do solemnly swear, that I will support the Constitution of the United States and the Constitution of the State of California, and will faithfully discharge the duties of Senator for the Fourteenth Senatorial District, to the best of my ability.

REPORTS.

Reports were submitted, as follows:

By Mr. McGarvey:

SENATE CHAMBER,
SACRAMENTO, January 30th, 1878. }

MR. PRESIDENT: The Judiciary Committee have had under consideration, and examined, Senate Bill No. 12—An Act to amend section four thousand one hundred and nine of the Political Code—report the same back, and a majority of the committee recommend its passage.

Also, Senate Bill No. 230—An Act to amend sections two hundred and ninety and two hundred and ninety-seven of the Penal Code, and to add another section thereto, to be known as section two hundred and ninety-eight—and report the same back, without recommendation, and request that it be referred to the San Francisco delegation.

Also, Assembly Bill No. 25—An Act to amend sections two thousand five hundred and sixty-seven and two thousand five hundred and sixty-eight of the Political Code—report it back, and recommend that it be referred to the Humboldt delegation.

Also, Assembly Bill No. 136—An Act to amend sections seven hundred and fifty-two, seven hundred and fifty-three, seven hundred and fifty-four, and seven hundred and fifty-six of the Political Code—and a majority recommend its passage.

Also, Senate Bill No. 232—An Act regulating the forming and impaneling of trial jurors for the Courts of record of Tulare County—and report it back, recommending that it do not pass.

Also, Senate Bill No. 233—An Act to amend an Act entitled an Act to create the Twenty-first Judicial District, approved February fifteenth, eighteen hundred and seventy-six, by changing the dates of holding terms of Court in said district—and report the same back, recommending its passage.

Also, Assembly Bill No. 139—An Act to amend the Code of Civil Procedure, with respect to Grand Juries in the City and County of San Francisco—report the same back, and recommend that it be referred to the San Francisco delegation.

Also, Senate Bill No. 236—An Act to add another section to the Penal Code, to be known as section six hundred and fifty-five—report the same back, and recommend that it do not pass.

Also, Senate Bill No. 197—An Act to amend section one thousand seven hundred and twelve of the Political Code—and report the same back with amendments, and recommend its passage as amended.

Also, Senate Bill No. 205—An Act granting relief to taxpayers whose lands have been sold to the State—and report the same back with amendments, and recommend its passage as amended.

Also, Senate Bill No. 241—An Act to amend section four hundred and eleven of the Code of Civil Procedure—report the same back, and recommend that it do not pass.

Also, Senate Bill No. 242—An Act to amend section three hundred and seventy-nine of the Code of Civil Procedure—and report the same back with the recommendation that it do not pass.

Also, Senate Bill No. 110—An Act to authorize the adjudication of certain claims against the State—and report it back, recommending that it be referred to the Committee on Claims.

Also, Senate Bill No. 251—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code, and report the same back, with the recommendation that it do not pass.

Also, Senate Bill No. 234—An Act to ratify and confirm ordinance number sixty-four, passed

by the City Council of the City of Stockton, and approved by the Acting Mayor of said city on the eighth day of December, eighteen hundred and seventy-seven—report the same back, and recommend that it be referred to the San Joaquin delegation.

Also, Preamble and Resolutions of the Workingmen of Sacramento No. 32—Report the same back, and recommend that it be referred to the Joint Committee on Labor.

Also, Senate Bill No. 176—An Act supplemental to and amendatory of an Act entitled an Act to regulate the practice of medicine in the State of California, approved April third, eighteen hundred and seventy-six—report the same back, and recommend that it be referred, with substitute, to the Hospital Committee.

R. McGARVEY, Chairman.

The bills above reported were referred, in accordance with the request of the Committee.

Mr. Lambert, for the Committee on Federal Relations, verbally reported Assembly Joint Resolution No. 35—Relative to subsidies to steamship companies on the Pacific Ocean—recommending its passage as amended.

INTRODUCTION OF BILLS

Bills were introduced, as follows:

By Mr. Howe—An Act to ratify and confirm order number one thousand four hundred and four of the Board of Supervisors of the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

Also, an Act to authorize certain payments by the Board of State Harbor Commissioners.

Read first and second times, and referred to the Committee on Commerce and Navigation.

By Mr. Dean (by request)—An Act conferring additional powers upon the Board of Supervisors, and the Auditor, and Treasurer of the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

By Mr. McCoppin—An Act to add a new section to the Political Code.

Read first and second times, and referred to the Committee on Education.

By Mr. Pierson—An Act to legalize the assessment of taxes in the City and County of San Francisco, and to validate a resolution of the Board of Supervisors of said City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Murphy of San Luis Obispo—An Act to amend section one thousand one hundred and sixty of the Civil Code.

By Mr. Evans—An Act to ratify the contract between the Stockton Gas Company and the City of Stockton, to supply gas to said city and its inhabitants, approved by the Acting Mayor of said city on the eighteenth day of December, A. D. eighteen hundred and seventy-seven.

Each of the above bills read first and second times, and referred to the Judiciary Committee, and ordered printed.

By Mr. Fowler (by request)—An Act to protect canals, ditches, flumes, and canals.

Read first and second times, and referred to the Judiciary Committee.

MOTIONS AND RESOLUTIONS.

Resolutions were offered, as follows:

By Mr. Pierson:

Resolved by the Senate, the Assembly concurring, That Senator Bones of Alameda be added to the Joint Committee on the Labor Question.

Adopted.

By Mr. Crane—A resolution providing that the Committees on Commerce and Navigation, Counties and County Boundaries, and Roads and Highways, be authorized to employ a Clerk.

Referred to the Committee on Contingent Expenses.

Mr Boyston submitted the following report:

SENATE CHAMBER,
SACRAMENTO, January 30th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 6—An Act to amend section three hundred and seven of the Civil Code, in relation to corporations.

And this day, at three o'clock and fifteen minutes P. M., presented the same to the Governor.

JOHN S. BOYSTON, for Committee.

ASSEMBLY MESSAGES.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, January 25th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twenty-fourth day of January, A. D. eighteen hundred and seventy-eight, passed Senate Bill No. 247—An Act to confer additional powers upon the City Assessor of the City of Stockton.

Also, Senate Bill No. 6—An Act to amend section three hundred and seven of the Civil Code, in relation to corporations.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, January 26th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twenty-fifth day of January, A. D. eighteen hundred and seventy-eight, amended and passed Senate Bill No. 128—An Act to authorize the District Attorney of the City and County of San Francisco to appoint a Second Assistant District Attorney.

Also, amended and passed Senate Bill No. 103—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor, Treasurer, and Superintendent of Public Streets, Highways, and Squares thereof, and to authorize an appropriation of money by said board.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, January 28th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twenty-fourth day of January, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 133—An Act to amend section two thousand eight hundred and seventy-two of the Civil Code.

Also, Assembly Bill No. 277—An Act to levy for county purposes, and to provide for the redemption of the bonded indebtedness of El Dorado County.

Also, Assembly Bill No. 270—An Act to provide for the distribution of school moneys in the County of Contra Costa.

Also, Assembly Bill No. 274—An Act to provide a new Great Register for the County of Fresno, and re-register the voters thereof.

Also, Assembly Bill No. 39—An Act concerning fees of jurors in the County of Humboldt.

Also, Assembly Bill No. 59—An Act to amend an Act to protect agriculture, and to prevent the trespassing of animals in Tehama County, approved March thirtieth, eighteen hundred and seventy-four.

Also, Assembly Bill No. 128—An Act to regulate the quality and standard illuminating power and the price of gas, in all cities within the State of California having a population of one hundred thousand or more.

Also, Assembly Bill No. 71—An Act to provide for the payment of the claim of Harrison Robert, Luis Ruggio, and E. L. Colrig, for services rendered to the State by the capture of Cleodovo Chavez, one of the associates of the bandit Vasquez.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, January 30th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twenty-eighth day of January, A. D. eighteen hundred and seventy-eight, concurred in Senate amendment to Assembly Bill No. 141.

Also, passed Senate Bill No. 220—An Act to repeal an Act entitled an Act to prevent hogs from running at large in the towns of Red Bluff and Tehama, in Tehama County.

Also, Assembly Bill No. 287—An Act to amend section one hundred and ninety-nine of the Political Code, concerning the legal distances of this State.

And on this day, passed Assembly Bill No. 222—An Act to amend an Act entitled an Act relative to the powers of the Boards of Supervisors of the Counties of Yolo and Solano, approved March twenty-fifth, eighteen hundred and seventy-four, and ordered the same transmitted without engrossment.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bills Nos. 133 and 39, above reported.

Read first and second times, and referred to the Judiciary Committee.

Assembly Bill No. 27, above reported.

Read first and second times.

On motion of Mr. Brown of El Dorado, the rules were suspended, and the bill taken up for consideration.

By unanimous consent, read third time, and passed.

Assembly Bill No. 270, above reported.

Read first and second times, and referred to the Committee on Education.

Assembly Bills Nos. 274, 128, 59, and 222, above reported.

Each read first and second times, and referred to the delegations named in the bills.

Assembly Bill No. 71, above reported.

Read first and second times, and referred to the Committee on Claims.

Senate Bills Nos. 103 and 129, above reported.

Assembly amendments to each of the bills concurred in.

GOVERNOR'S MESSAGE.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
SACRAMENTO, January 30th, 1878. }

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bills No. 16—An Act to amend section five hundred and ninety-six of the Civil Code.

No. 39—An Act to repeal an Act entitled an Act to create a Board of Public Works in and for the City of Los Angeles.

No. 62—An Act supplemental to an Act entitled an Act to provide for the maintenance of the indigent sick of Siskiyou County, approved April twenty-second, eighteen hundred and sixty-one.

No. 69—An Act to pay the claim of C. H. Krebs.

No. 150—An Act to authorize certain appropriations of money by the Board of Supervisors of the City and County of San Francisco.

No. 181—An Act to amend an Act entitled an Act to enforce the collection of poll taxes in the County of Calaveras, approved March twentieth, eighteen hundred and seventy-four.

No. 199—An Act to amend the Penal Code.

WILLIAM IRWIN, Governor.

Mr. McGarvey (by leave) presented a remonstrance from citizens of Lake County against the passage of a bill authorizing the Boards of Supervisors of Lake and Napa Counties to issue bonds to build a railroad from Napa to Lake Counties.

Received, and referred to the Committee on Corporations.

ADJOURNMENT.

At three o'clock and thirty-five minutes P. M., on motion of Mr. Pierson, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
THURSDAY, January 31st, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Halborn, Hall, Howe, Lambert, Lewis, McCoppin, Metgarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Norton, Numan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, and Whitney.

Quorum present.

The Journal of yesterday read and approved.

Mr. Smith was granted leave of absence for one day.

REPORTS.

Reports were submitted, as follows:

By Mr. Lewis:

SENATE CHAMBER,
SACRAMENTO, January 31st, 1878. }

MR. PRESIDENT: The Committee on Education have had under consideration Senate Bill No. 31—An Act to amend section one thousand five hundred and seventy-six of the Political Code—report the same back, and recommend its passage.

Also, Assembly Bill No. 11—An Act for the relief of the school department of the City of Oakland—report the same back, and recommend its passage.

Also, Senate Bill No. 182—An Act to fix the salary of the Superintendent of Public Schools in the County of Calaveras—report the same back, and recommend its passage.

Also, Senate Bill No. 72—An Act to amend section one thousand five hundred and sixty, and to repeal section one thousand five hundred and sixty of the Political Code, relating to County Institutes—report the same back, and recommend that it do not pass.

Also, Senate Bill No. 73—An Act to amend certain sections of the Political Code, and to repeal other sections of the same Code, relating to public schools—report the same back, and recommend that it do not pass.

Also, Senate Bill No. 114—An Act to amend section one thousand seven hundred and forty-six of the Political Code—report the same back, and recommend its passage.

Also, Senate Bill No. 158—An Act to amend section one thousand seven hundred and fifty of the Political Code, concerning diplomas—report the same back, and recommend that it do not pass.

LEWIS, Chairman.

By Mr. McGarvey:

MR. PRESIDENT: The Judiciary Committee, to whom was referred Senate Bill No. 180—An Act for the relief of John Hoagland et al.—have had the same under consideration, and report it back with amendments, and recommend its passage as amended.

MCGARVEY, Chairman.

Mr. Lambert, for the delegation, verbally reported Assembly Bill No. 222—An Act to amend an Act entitled an Act relative to the powers of the Board of Supervisors of the Counties of Yolo, and Solano, approved March twenty-fifth, eighteen hundred and seventy-four—recommending its passage.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

Mr. McGarvey, for the delegation, verbally reported Assembly Bill No. 25—An Act to amend sections two thousand five hundred and sixty-seven, and two thousand five hundred and sixty-eight of the Political Code—recommending its passage.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

By Mr. Nunan:

MR. PRESIDENT: The San Francisco delegation, to whom was referred Senate Bill No. 229—An Act to establish the grade of Seventh Street, between Bryant and Brannan Streets, in the City and County of San Francisco—have had the same under consideration—report it back, and recommend its passage.

E. NUNAN, Chairman.

On motion of Mr. Donovan, the rules were suspended, and the bill above reported, taken up for consideration.

Considered engrossed, read third time, and passed.

Ordered to the Assembly without engrossment.

Mr. Evans, for the delegation, verbally reported Senate Bill No. 254—An Act to ratify and confirm ordinance number sixty-four, passed by the City Council of the City of Stockton, and approved by the Acting Mayor of said city on the eighth day of December, eighteen hundred and seventy-seven—recommending its passage.

On motion of Mr. Evans, the rules were suspended, and the bill taken up for consideration.

Considered engrossed, read third time, and passed.

ASSEMBLY MESSAGE.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, January 31st, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on the thirtieth day of January, A. D. eighteen hundred and seventy-eight, passed Senate Joint Resolution No. 23—Relative to public lands in this State.

Also, Senate Bill No. 168—An Act to declare Sonoma River navigable.

E. L. CRAWFORD, Assistant Clerk.

INTRODUCTION OF BILLS.

Bills were introduced, as follows :

By Mr. Boyston—An Act to amend sections three thousand eight hundred and fifty-seven, and three thousand eight hundred and fifty-eight of the Political Code.

By Mr. Lewis—An Act to amend section nine hundred of the Penal Code, relating to challenges to individual grand jurors.

Also, an Act to amend section three hundred and fifty-seven of the Penal Code.

Each of the above bills read first and second times, and referred to the Judiciary Committee.

By Mr. Nunan—An Act to confer additional powers upon, and to authorize certain appropriations of money by the Board of Supervisors of the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Pierson—An Act to add a new section to the Penal Code, in relation to the adulteration of candies.

Read first and second times, and, with a petition accompanying the bill, referred to the Hospital Committee.

Also, an Act to amend section two thousand and eighty-four of the Code of Civil Procedure—In relation to proceedings to perpetuate testimony.

By Mr. Haymond—An Act to amend section three thousand eight hundred and forty-six of the Political Code of the State of California.

Also, an Act to amend section two thousand two hundred and seventy-four of the Civil Code.

Each of the above bills read first and second times, and referred to the Judiciary Committee.

By Mr. Ream—An Act to amend section one thousand seven hundred and seventy of the Political Code—Relative to County Boards of Examination.

Read first and second times, and referred to the Committee on Education.

By Mr. McCoppin—An Act granting certain privileges to the North Beach and Mission Railroad Company.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Fowler—An Act for the relief of Charles Dukes, J. D. Billingsley, D. Mallock, William Kincaid, Stacy Taylor, A. M. Abbey, and M. S. Merrill, all of the County of Tulare.

Read first and second times.

Rules suspended, and the bill taken up and placed on its third reading and passage.

Considered engrossed, and by unanimous consent read third time, and passed.

MOTIONS AND RESOLUTIONS.

Mr. Brown of El Dorado offered a concurrent resolution in relation to the funded indebtedness of the State of California.

On motion of Mr. Satterwhite, the resolution was referred to the Committee on Finance and Claims.

Mr. Ream submitted the following report:

SENATE CHAMBER,
SACRAMENTO, January 31st, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Substitute for Assembly Bill No. 41—An Act to fix the terms of the County and Probate Courts in and for the County of Lake.

Also, Senate Bill No. 57—An Act to reimburse the County of Placer for moneys expended in the collection of State taxes.

Also, Senate Bill No. 50—An Act to amend section fourteen, and to reenact sections fifteen, sixteen, and seventeen of the Civil Code, relating to definitions.

Also, Senate Bill No. 163—An Act concerning roads and highways in the County of San Benito.

Also, Senate Bill No. 187—An Act to amend section sixty-eight of an Act entitled an Act to repeal the several charters of the City of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved April nineteenth, eighteen hundred and fifty-six.

Also, Senate Bill No. 216—An Act to amend section three hundred and seventy-six of the Penal Code.

Also, Senate Bill No. 151—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof.

D. REAM, for Committee.

On motion of Mr. Lewis, the rules were suspended and Senate Substitute for Assembly Bill No. 41, above reported, taken up.

The vote by which the bill passed was by unanimous consent reconsidered, and the bill referred to the Judiciary Committee.

Mr. Beazell, for the delegation (by leave), verbally reported Assembly Bill No. 191—An Act relative to certain duties of Constable, in the several townships of the County of Alameda—recommending that the bill be referred to the Judiciary Committee.

So referred.

On motion of Mr. Dean, Senate Bill No. 97 was ordered printed.

GENERAL FILE.

Senate Joint Resolution No. 12, was ordered at the head of the General File for Saturday next.

Substitute for Senate Bill No. 193—An Act to amend section two thousand one hundred and eighty of the Civil Code.

Read third time, and passed.

Senate Bill No. 134—An Act for the protection of the Harbor of Wilmington.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 12—An Act to amend section four thousand one hundred and nine of the Political Code.

On motion of Mr. Evans, the special orders set for twelve o'clock M. were temporarily postponed.

Mr. Lewis offered an amendment to Senate Bill No. 12, as follows:

Amend section one of the bill by striking out all of said section after the word "State," in the eighteenth line.

On adopting the amendment, the ayes and noes were demanded by Messrs. Haymond, Pierson, and Murphy of San Luis Obispo, and the amendment was rejected by a vote, as follows:

AYES—Messrs. Lewis, McCoppin, Murphy of San Francisco, Murphy of San Luis Obispo, Nunan, Ream, Rogers, and Shirley—7.

NOES—Messrs. Beazell, Bones, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Curtis, Dean, Evans, Flint, Goodwin, Gwin, Haymond, Hilborn, Hill, Lambert, McCoppin, McGarvey, Montgomery, Norton, Pierson, Satterwhite, Searls, and Whitney—24.

Mr. McCoppin offered an amendment, as follows:

Amend section one, line eleven, by striking out the word "four," and insert in lieu thereof the word "two."

On adopting the amendment, the ayes and noes were demanded by Messrs. Fowler, Lewis, and McCoppin, and the Senate rejected the amendment by a vote, as follows:

AYES—Messrs. Boyston, Brown of Amador, Brown of El Dorado, Coleman, Crane, Dean, Hill, Howe, McCarthy, McCoppin, McGarvey, Murphy of San Francisco, Norton, Pierson, Rogers, and Searls—16.

NOES—Messrs. Beazell, Bones, Curtis, Evans, Flint, Fowler, Goodwin, Gwin, Hilborn, Lambert, Lewis, Montgomery, Murphy of San Luis Obispo, Nunan, Ream, Satterwhite, Shirley, and Whitney—18.

Mr. Murphy of San Luis Obispo moved the indefinite postponement of the bill, on which the ayes and noes were demanded by Messrs. Haymond, McGarvey, and Norton.

The motion prevailed, and the bill was indefinitely postponed by a vote, as follows:

AYES—Messrs. Beazell, Boyston, Crane, Dean, Evans, Flint, Fowler, Goodwin, Howe, Lambert, Lewis, McCarthy, McCoppin, Murphy of San Francisco, Murphy of San Luis Obispo, Nunan, Ream, Rogers, Satterwhite, and Shirley—20.

NOES—Messrs. Bones, Brown of Amador, Brown of El Dorado, Coleman, Curtis, Gwin, Haymond, Hilborn, Hill, McGarvey, Montgomery, Norton, Pierson, Searls, and Whitney—15.

[Mr. Rogers in the chair.]

SPECIAL ORDER.

Senate Bill No. 51—An Act to foster home industries in the publication of text-books, and to maintain the good faith of the State by reestablishing the contract heretofore entered into by and between A. L. Bancroft & Co. and the State Board of Education of the State of California.

The Chair stated that the question before the Senate was on the substitute offered by Mr. Pierson.

Mr. Evans raised a point of order, that the substitute of Mr. Pierson to the substitute offered by Mr. Curtis was not in order at this time, and quoted Rule Fourteenth of the Standing Rules of the Senate to sustain his point.

The Chair overruled the point of order.

Mr. Evans appealed from the decision of the Chair.

Upon the question, "Shall the decision of the Chair stand as the judgment of the Senate?" the roll was called, and the Senate refused to sustain the ruling by a vote, as follows:

AYES—Messrs. Bones, Brown of Amador, Brown of El Dorado, Coleman, Craig, Hill, Howe, Lewis, McCoppin, Norton, Nunan, Pierson, Ream, and Searls—14.

NOES—Messrs. Beazell, Boyston, Crane, Curtis, Dean, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Lambert, McCarthy, Murphy of San Francisco, Satterwhite, Shirley, and Whitney—17.

The question being upon the adoption of the substitute offered by Mr. Curtis, the ayes and noes were demanded by Messrs. Evans, Norton, and Lambert, and it was rejected by a vote, as follows:

AYES—Messrs. Curtis, Evans, Fowler, Haymond, Hilborn, Hill, Howe, Lambert, Montgomery, Murphy of San Francisco, Rogers, Satterwhite, and Shirley—13.

NOES—Messrs. Beazell, Bones, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Dean, Flint, Goodwin, Gwin, Lewis, McCarthy, McCoppin, Norton, Nunan, Pierson, Ream, Searls, and Whitney—21.

Mr. Pierson offered an amendment to the bill, being the substitute offered by him on the twenty-sixth, and entered upon the Journal of that date.

Upon the adoption of the substitute, the ayes and noes were demanded by Messrs. McCarthy, Pierson, and Norton, and it was adopted by a vote, as follows :

AYES—Messrs. Bones, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Dean, Flint, Fowler, Gwin, Hilborn, Hill, Lewis, McCoppin, McGarvey, Norton, Nunan, Pierson, Ream, Searls, and Whitney—21.

NOES—Messrs. Beazell, Boyston, Curtis, Donovan, Evans, Goodwin, Haymond, Howe, Lambert, McCarthy, Montgomery, Murphy of San Francisco, Rogers, Satterwhite, and Shirley—15.

Mr. Pierson offered the following amendment to the bill :

“ Provided, That if, at any time after their adoption, the retail price of such books is raised above the first introduction price, some other books may be substituted for such books.”

Adopted.

Mr. Lewis moved a suspension of the rules, that the bill be considered engrossed, and placed on its final passage.

On which the ayes and noes were demanded by Messrs. Lewis, McCarthy, and Norton, and the Senate refused by a vote, as follows :

AYES—Messrs. Bones, Brown of El Dorado, Craig, Crane, Flint, Hilborn, Lewis, McCoppin, McGarvey, Norton, Nunan, and Searls—12.

NOES—Messrs. Beazell, Boyston, Brown of Amador, Coleman, Curtis, Dean, Donovan, Evans, Fowler, Goodwin, Gwin, Hill, Howe, Lambert, McCarthy, Montgomery, Murphy of San Francisco, Pierson, Ream, Rogers, Satterwhite, Shirley, and Whitney—23.

On the question of ordering the bill engrossed, the ayes and noes were demanded by Messrs. Evans, Curtis, and Brown of El Dorado, and it was ordered engrossed by a vote, as follows :

AYES—Messrs. Bones, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Dean, Flint, Gwin, Hilborn, Hill, Lewis, McCoppin, McGarvey, Norton, Nunan, Pierson, Ream, and Searls—19.

NOES—Messrs. Beazell, Boyston, Curtis, Donovan, Evans, Fowler, Goodwin, Haymond, Howe, Lambert, McCarthy, Montgomery, Murphy of San Francisco, Rogers, Satterwhite, Shirley, and Whitney—17.

[President in the chair.]

SPECIAL ORDER.

Senate Joint Resolution No. 24—Concerning the Southern policy and civil service policy of the President—was now taken up.

On motion of Mr. Norton, the special order was continued until Thursday, the seventh of February, at the same hour.

ADJOURNMENT.

At one o'clock and forty-five minutes P. M., on motion of Mr. Gwin, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
FRIDAY, February 1st, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Hibborn, Hill, Howe, Lambert, Lewis, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Numan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

The Journal of yesterday read and approved.

PETITIONS.

Petitions were presented, as follows:

By Mr. Dean—A memorial from the citizens of the City of San Francisco, in opposition to Senate Bill No. 54—An Act to extend the Golden Gate Park to Market Street, in the City and County of San Francisco.

Received, and referred to the San Francisco delegation.

REPORTS.

Reports were submitted, as follows:

By Mr. Fowler:

MR. PRESIDENT: The delegation to whom was referred Assembly Bill No. 274—An Act to provide a new Great Register for the County of Fresno, and re-register the votes thereof—having had the same under consideration, report the same back with amendment, and recommend its passage.

THOMAS FOWLER, for Delegation.

Mr. Fowler asked and obtained leave to withdraw from the further consideration of the Senate, Senate Bill No. 188.

By Mr. McGarvey:

SENATE CHAMBER,
SACRAMENTO, February 1st, 1878. }

MR. PRESIDENT: The Judiciary Committee have had under consideration and examined Assembly Bill No. 39—An Act concerning fees of jurors in the County of Humboldt—report the same back, with the recommendation that it do not pass.

Also, Assembly Bill No. 133—An Act to amend section two thousand eight hundred and seventy-two of the Civil Code—and report it back, a majority recommending its passage.

Also, Substitute for Senate Bill No. 35—An Act to confirm certain letters patent of the State of California to W. F. Montgomery et al.—and report the same back, with a substitute, and a majority recommend the passage of the substitute.

Also, Assembly Bill No. 159—An Act to amend section one thousand nine hundred and seventeen of the Civil Code—report it back, a majority recommending its passage.

Also, Senate Bill No. 170—An Act to amend section eight hundred and eighty-three of the Code of Civil Procedure—and report it back, a majority recommending its passage.

McGARVEY, Chairman.

Mr. Lambert, for the Committee on Federal Relations, verbally reported Senate Joint Resolution No. 26—Memorializing Congress to abolish the duties on grain bags, and the material from which they were made—recommending its passage.

By Mr. Boyston:

SENATE CHAMBER,
SACRAMENTO, January 31st, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 247—An Act to confer additional powers upon the City Assessor of the City of Stockton.

Also, Senate Bill No. 40—An Act to ratify certain acts and proceedings of the Council of the City of Los Angeles.

Also, Senate Bill No. 71—An Act to ratify and confirm an ordinance of the City of Oakland, entitled an ordinance abandoning certain streets in East Oakland, approved May twentieth, eighteen hundred and seventy-six.

Also, Senate Bill No. 45—An Act to amend an Act entitled an Act authorizing the Trustees of San Buenaventura School District, of the County of Santa Barbara, in this State, to issue bonds for said district, for the sum of ten thousand dollars.

And this day, at two o'clock P. M., presented the same to the Governor.

JOHN S. BOYSTON, for Committee.

By Mr. Nunan:

MR. PRESIDENT: The San Francisco delegation, to whom was referred Senate Bill No. 200—An Act to enable the Board of Supervisors of the City and County of San Francisco to increase the police force of said city and county, and provide for the appointment, regulation, and payment thereof—have had the same under consideration, report it back, and recommend passage or substitute.

Also, Senate Bill No. 265—An Act to amend sections one and three of an Act entitled an Act to authorize the Assessor of the City and County of San Francisco to appoint deputies, approved January twenty-fifth, eighteen hundred and seventy—have had the same under consideration, report it back, and recommend its passage.

Also, Senate Bill No. 267—An Act to regulate and limit the payment of money out of the treasury of the City and County of San Francisco—have had the same under consideration, report it back, and recommend its passage as amended.

Also, Assembly Bill No. 139—An Act to amend the Code of Civil Procedure, with respect to grand juries in the City and County of San Francisco—have had the same under consideration, report it back, and recommend its passage.

E. NUNAN, Chairman.

CONSIDERATION OF THE ABOVE REPORT.

On motion of Mr. McCoppin, the rules were suspended, and the bills above reported were taken up for consideration.

[Mr. Howe in the chair.]

Senate Bill No. 200—Substitute and amendment thereto adopted.

Mr. Pierson offered an amendment, as follows:

Strike out section seven.

On which the ayes and noes were demanded by Messrs. Pierson, McCoppin, and Craig.

The roll was called, resulting as follows:

AYES—Messrs. Brown of Amador, Brown of El Dorado, Coleman, Crane, Dean, Evans, Flint, Goodwin, Hilborn, Lambert, McGarvey, Pierson, Rogers, Satterwhite, Searls, Shirley, and Whitney—17.

NOES—Messrs. Beazell, Boyston, Craig, Curtis, Donovan, Fowler, Gwin, Haymond, Hill, Howe, McCoppin, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, and Ream—17.

The amendment was lost, a majority failing to vote in the affirmative.

On motion of Mr. McCoppin, the special orders set for twelve o'clock M. were temporarily postponed.

Mr. Hilborn offered an amendment to strike out the words "Fourth Judicial District," and insert "Fifteenth Judicial District."

Mr. Donovan offered an amendment to the amendment to strike out the words "Judge of the Police Court," and insert "Judge of the Fifteenth Judicial District."

The Senate refused to adopt the amendment to the amendment.

On adopting the amendment offered by Mr. Hilborn, the ayes and noes were demanded by Messrs. Evans, Hilborn, and Goodwin, and it was rejected by a vote, as follows:

AYES—Messrs. Brown of Amador, Brown of El Dorado, Crane, Dean, Evans, Flint, Goodwin, Hilborn, and Pierson—9.

NOES—Messrs. Beazell, Bayston, Coleman, Craig, Curtis, Donovan, Fowler, Gwin, Haymond, Hill, Howe, Lambert, Lewis, McCoppin, McCarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Numan, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney—26.

Mr. Fowler offered an amendment, as follows:

Provided, that those named in the bill to name Police Commissioners shall name the Chief as one of the Police Commissioners.

Lost.

On motion of Mr. McCoppin, the rules were suspended, and the bill considered engrossed.

Read third time.

On the passage of the bill the ayes and noes were demanded by the requisite number, and it passed by a vote, as follows:

AYES—Messrs. Beazell, Bayston, Coleman, Craig, Crane, Curtis, Dean, Donovan, Fowler, Gwin, Hill, Howe, Lambert, Lewis, McCoppin, McCarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Numan, Pierson, Satterwhite, Searls, Shirley, and Smith—26.

NOES—Messrs. Brown of Amador, Evans, Flint, Goodwin, Hilborn, and Rogers—6.

Mr. Craig submitted a report, as follows:

SENATE CHAMBER,

SACRAMENTO, February 1st, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, substitute for Senate Bill No. 51—An Act to foster home industries in the publication of text-books and to maintain the good faith of the State by reestablishing the contract heretofore entered into by and between A. L. Bancroft & Co. and the State Board of Education of the State of California.

Also, Senate Bill No. 103—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor, Treasurer, and Superintendent of Public streets, Highways, and Squares thereof, and to authorize an appropriation of money by said board.

Also, Senate Bill No. 128—An Act to authorize the District Attorney of the City and County of San Francisco to appoint a Second Assistant District Attorney.

J. CRAIG, for the Committee.

SPECIAL ORDERS.

Senate Joint Resolution No. 6—Relative to the remonetization of silver.

Senate Joint Resolution No. 21—Concerning the currency.

Were now taken up.

On motion of Mr. Lewis, the special orders were postponed until Tuesday, the fifth instant, at one o'clock P. M.

Senate Joint Resolution No. 27—Relative to trans-continental railroads.

Postponed until Friday next, the eighth instant, at twelve o'clock M.

INTRODUCTION OF BILLS.

Bills were introduced, as follows :

By Mr. Coleman—An Act to amend an Act entitled an Act to provide for the location, construction, and maintenance of public roads in the County of Nevada, approved March twenty-first, eighteen hundred and seventy-two.

Read first and second times, and referred to the Nevada County delegation.

By Mr. Rogers—An Act to add two new sections to the Code of Civil Procedure of this State.

Read first and second times, and referred to the San Francisco delegation.

Consideration of San Francisco delegation report continued.

Senate Bill No. 265.

Rules suspended, considered engrossed, read third time, and passed. [President in the chair.]

Senate Bill No. 267—Amended.

Rules suspended, considered engrossed, read third time, and passed. Assembly Bill No. 139.

Read third time, and passed.

By Mr. McGarvey—An Act to amend section three thousand four hundred and forty-three of the Political Code.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Flint—An Act to amend an Act entitled an Act to amend an Act entitled an Act to incorporate the Town of Watsonville, Santa Cruz County, California, approved March thirtieth, eighteen hundred and sixty-eight.

Read first and second times, and referred to the Committee on Corporations.

Mr. Beazell (by leave) offered a resolution, as follows :

Resolved, That the Governor be requested to return Senate Bill No. 71—An Act to ratify and confirm an ordinance of the City of Oakland, entitled an ordinance abandoning certain streets in East Oakland—for the purpose of correcting the enrollment of said bill.

Adopted.

Mr. Montgomery (by leave) offered a resolution providing for paying S. S. Ford, Assistant Sergeant-at-Arms, fifty-five dollars and twenty-two cents for expenses in connection with the funeral of the late Senator Angney.

Referred to the Committee on Contingent Expenses.

By Mr. Murphy of Santa Clara—An Act to amend section three hundred and twenty-five of the Code of Civil Procedure.

Read first and second times, and referred to the Judiciary Committee.

Senate Bill No. 241—An Act to amend section four hundred and eleven of the Code of Civil Procedure.

Senate Bill No. 242—An Act to amend section three hundred and seventy-nine of the Code of Civil Procedure.

And Senate Bill No. 251—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code.

Were withdrawn, by Mr. Gwin, the author of the bills, by general consent.

Mr. Nunan submitted a report, as follows:

MR. PRESIDENT: The San Francisco delegation, to whom was referred Senate Bill No. 8—An Act for the relief of Otto Kloppenberg—have had the same under consideration, report it back, and recommend passage of substitute.

E. NUNAN, Chairman.

By Mr. McCarthy:

SENATE CHAMBER,
SACRAMENTO, February 1st, 1878.

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 226—An Act to authorize the Board of Supervisors of the City and County of San Francisco to make provision for deficiency in the Street Department Fund of the fiscal year eighteen hundred and seventy-seven and seventy-eight.

And this day, at one o'clock and forty-five minutes P. M., presented the same to the Governor.

T. MCCARTHY, Chairman.

On motion of Mr. Lewis, Senate Bill No. 231 was ordered printed.

GENERAL FILE.

Assembly Bill No. 136—An Act to amend sections seven hundred and fifty-two, seven hundred and fifty-three, seven hundred and fifty-four, and seven hundred and fifty-six of the Political Code.

Mr. McGarvey moved to amend by striking out section four.

On which the ayes and noes were demanded by Messrs. Craig, McCoppin, and Nunan, and the amendment was adopted by a vote, as follows:

AYES—Messrs. Beazell, Bones, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Flint, Goodwin, Gwin, Hilborn, Hill, Lambert, Lewis, McGarvey, Murphy of San Luis Obispo, Norton, Ream, Satterwhite, Searls, and Whitney—22.

NOES—Messrs. Boyston, Dean, Donovan, Fowler, Howe, McCarthy, McCoppin, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Nunan, Pierson, Rogers, and Smith—14.

Read third time, and passed.

Title amended.

Mr. Craig gave notice that on to-morrow he would move to reconsider the vote by which the bill passed.

On motion of Mr. Pierson, the rules were suspended and Senate Bill No. 35, with substitute, taken up for consideration—An Act to confirm certain letters patent of the State of California to W. F. Montgomery et al.

Substitute adopted.

On motion of Mr. Haymond, the bill was ordered printed, and made a special order for Wednesday, the sixth instant, at twelve o'clock M.

The President presented the following communication:

SAN FRANCISCO, January 25th, 1878.

Hon. J. A. Johnson, President of the Senate of the State of California:

In accordance with a vote of the Anti-Monopoly Association of this city, I transmit the following resolutions for presentation to the body over which you have the honor to preside.

Respectfully yours,

JOSEPH H. SWAIN, Organizer of the A. M. A.

Resolved, That the passage of the bill to establish a bureau of labor statistics, introduced by the Hon. M. J. Donovan of San Francisco into the Senate of this State, is of vital importance,

a great public necessity, and would be hailed as a promise of beneficent reforms long prayed for by thoughtful workmen.

Resolved, That legislation without authoritative data is a game of chance—justice and public interest being the stake—that the mistakes of Legislatures have arisen mainly from the lack of reliable statistics, and can only be avoided by obtaining the facts and enacting laws in accordance therewith.

Resolved, That as the prosperity of the State is determined by that of the producing classes, no laws should be created benefiting one industry or occupation at the expense of others; and that laws to protect or encourage labor, or enterprise, should have a solid basis of facts.

Resolved, That this bill embodies the only practical plan for collecting and tabulating such facts.

That, in common with other labor organizations, we earnestly pray for its speedy passage.

Voted that these resolutions be transmitted to the State Senate by the organization.

SAN FRANCISCO, January 23d, 1878.

On motion of Mr. Lewis, the communication was referred to the Joint Committee on the Labor Question.

ADJOURNMENT.

At two o'clock and thirty-five minutes P. M., on motion of Mr. Lewis, the Senate adjourned.

IN SENATE.

SENATE CHAMBER, }
SATURDAY, February 2d, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boyston, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCoppin, Montgomery, Murphy of Santa Clara, Norton, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Smith, and Whitney.

Quorum present.

The Journal of yesterday was read and approved.

Mr. McGarvey was granted leave of absence for one day, and Mr. Shirley for two days.

Mr. Evans (by leave) offered a resolution, as follows:

Resolved, That when the Senate this day adjourns, it adjourns to meet Tuesday, February fifth, eighteen hundred and seventy-eight, at one o'clock P. M.

Adopted.

REPORTS.

Reports were submitted, as follows:

By Mr. Haymond:

MR. PRESIDENT: The Judiciary Committee have had under consideration Senate Bill No. 258—An Act to add another section to the Civil Code, to be numbered one thousand and twenty—and report the same back with the recommendation that it do not pass.

Also, Senate Bill No. 260—An Act to amend certain sections numbers one thousand three hundred and fifty, one thousand three hundred and sixty-five, one thousand three hundred and sixty-eight, one thousand three hundred and sixty-nine, and one thousand three hundred and seventy-nine of the Code of Civil Procedure—and a majority recommend its passage.

By Mr. Searls:

HAYMOND, for Committee.

MR. PRESIDENT: The Committee on Corporations, having had under consideration Senate Bill No. 171—An Act to add a new section to the Civil Code, to be known as section five hundred and fifty-three—report the same back, and recommend that it do not pass.

By Mr. Howe:

NILES SEARLS, Chairman.

MR. PRESIDENT: The Committee on Commerce and Navigation, to whom was referred Senate Bill No. 212—An Act to amend section two thousand five hundred and thirty-six of the Political Code, concerning the construction of the sea-wall of San Francisco—have had the same under consideration, report it back, and recommend passage of substitute.

Also, Senate Bill No. 82—An Act concerning the water front of the City and County of San Francisco—have had the same under consideration, report it back, and recommend its passage as amended.

HOWE, Chairman.

Mr. Smith, for the Committee on Mileage, verbally reported Assembly Bill No. 287—An Act to amend section one hundred and ninety-nine of the Political Code, concerning the legal distances of this State—recommending its passage.

On motion of Mr. Beazell, the rules were suspended, and Assembly Bill No. 11 was taken from the file, and referred to the Alameda County delegation.

GOVERNOR'S MESSAGES.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
SACRAMENTO, February 2d, 1878. }

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bills No. 6—An Act to amend section three hundred and seven of the Civil Code, in relation to corporations.

No. 226—An Act to authorize the Board of Supervisors of the City and County of San Francisco to make provisions for deficiency in the Street Department Fund of fiscal year eighteen hundred and seventy-seven and eighteen hundred and seventy-eight.

No. 247—An Act to confer additional powers upon the City of Stockton.

WILLIAM IRWIN, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
SACRAMENTO, CAL., February 2d, 1878. }

To the Senate of the State of California:

I have the honor, in compliance with the request embodied in a resolution adopted by your honorable body, to return to you Senate Bill No. 71, entitled—An Act to ratify and confirm an ordinance of the City of Oakland, entitled an ordinance abandoning certain streets in East Oakland, approved May twentieth, eighteen hundred and seventy-six.

WILLIAM IRWIN, Governor.

Senate Bill No. 71, returned to the Senate as above, was referred to the Committee on Enrollment, to have the same correctly enrolled.

ASSEMBLY MESSAGES.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, February 1st, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the thirty-first day of January, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 30—An Act to add another section to the Penal Code (Chapter Two, Title Nine, Part One), to prevent opium-smoking.

Also, Assembly Bill No. 93—An Act to amend section fifty-four of the Penal Code.

Also, Assembly Bill No. 156—An Act to amend sections two hundred and sixty-six and two hundred and seventy-five of the Penal Code, in reference to the crimes of seduction and producing abortions.

Also, Assembly Bill No. 214—An Act to amend section nine hundred and seventy-four of the Code of Civil Procedure, in reference to the time when an undertaking shall be filed on an appeal to the County Court.

Also, Assembly Bill No. 220—An Act to amend section one thousand two hundred and ninety-one of the Penal Code, in reference to what Magistrate may admit prisoners to bail.

And this day passed Senate Bill No. 226—An Act to authorize the Board of Supervisors of the City and County of San Francisco to make provision for deficiency in the Street Department Fund of the fiscal year eighteen hundred and seventy-seven-eight.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, February 1st, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the thirtieth day of January, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 144—An Act concerning salaries and fees of office of certain county and township officers in the County of San Bernardino.

And on January thirty-first, passed Assembly Bill No. 234—An Act to provide for the extermination of squirrels in the County of San Mateo.

Also, Assembly Bill No. 243—An Act to authorize the Mud River Boom and Land Company to construct and maintain booms in Humboldt Bay.

Also, Senate Bill No. 67—An Act to add another section to the Civil Code, in relation to marriage.

And indefinitely postponed Senate Bill No. 80—An Act to amend sections two hundred and sixty-five and two hundred and sixty-six of the Code of Civil Procedure, in regard to Janitor of the Supreme Court.

Also, refused to concur in Senate amendments to Assembly Bill No. 102—An Act to authorize the Board of Supervisors to pay the claim of Abner D. Sevier, ex-Sheriff of Humboldt County.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bills Nos. 30, 93, 156, 214, and 220, above reported.

Each read first and second times, and referred to the Judiciary Committee.

Assembly Bill No. 144, above reported.

Read first and second times, and ordered on the General File.

Assembly Bills Nos. 234, and 243, above reported.

Each read first and second times, and referred to the delegations named in the bills.

Assembly Bill No. 102, above reported, with Senate amendments, in which the Assembly refused to concur, was ordered on the General File.

INTRODUCTION OF BILLS.

Bills were introduced, as follows:

By Mr. Haymond—An Act to amend Chapter Two, Article Six, of Title Fourteen of the Civil Code, by adding thereto an additional section, relating to mortgages on growing crops.

Read first and second times, and referred to the Committee on Agriculture.

By Mr. Pierson—An Act to repeal a certain section of the Civil Code, relating to insurance.

Also, an Act to amend a certain section of the Political Code, relating to insurance.

Each of the above bills read first and second times, and referred to the Judiciary Committee.

By Mr. Curtis—An Act to provide for the payment of certain persons for services performed, as members of the State Board of Examiners.

Read first and second times, and referred to the Committee on Claims.

By Mr. Rogers—An Act to amend section three and section five of an Act to authorize the City and County of San Francisco to provide and maintain public water-works for said city and county, and to condemn and purchase private property for that purpose, approved March twenty-seventh, eighteen hundred and seventy-six.

By Mr. Craig—An Act to amend section five hundred and sixty-two of the Political Code of the State of California, and add thereto two new sections, to be numbered five hundred and sixty-eight and five hundred and sixty-nine.

Each of the above bills read first and second times, and referred to the San Francisco delegation.

MOTIONS AND RESOLUTIONS.

Mr. Craig offered a resolution providing that Margaret Hennessy be appointed to take charge of room number forty-seven, at a per diem of three dollars and twenty-five cents.

Referred to the Committee on Contingent Expenses.

On motion of Mr. Goodwin, Senate Bill No. 218—An Act to amend section one thousand five hundred and ninety of the Penal Code—was taken from the table, and ordered to the Assembly without engrossment, the bill having previously passed the Senate.

Mr. Smith offered a resolution, as follows:

Resolved, First—That the State Board of Education should be reorganized: second, that the State should print the text-books to be used in the public schools: or, third, that it should purchase them from the purchasers by special contract, at the lowest prices at which they can be purchased, to be delivered at San Francisco, and distributed through the State and County Superintendents and teachers to the scholars at cost price, the State supplying new books in place of those now in use, free of cost: fourth, that a special committee of three be appointed to inquire whether it will be better for the State to print the books, as specified in the second section of this resolution, or to purchase them, as specified in the third section: and to report a bill to carry into effect the plan which it may adopt, and for the reorganization of the State Board of Education.

Mr. Smith moved the adoption of the resolution.

Mr. Lewis moved to refer the resolution to the Committee on Education.

On which the ayes and noes were demanded by Messrs. Lewis, Searls, and Craig, and it was so referred by a vote, as follows:

AYES—Messrs. Bones, Coleman, Craig, Crane, Dean, Flint, Lewis, McCoppin, Murphy of Santa Clara, Norton, Pierson, Ream, Searls, and Whitney—14.

NOES—Messrs. Beazell, Boyston, Curtis, Donovan, Evans, Haymond, Hill, Howe, Lambert, Montgomery, Rogers, and Satterwhite—12.

Mr. Ream submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, February 2d, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 134—An Act for the protection of the Harbor of Wilmington.

Also, Senate Bill No. 254—An Act to ratify and confirm ordinance number sixty-four, passed by the City Council of the City of Stockton, and approved by the Acting Mayor of said city on the eighth day of December, eighteen hundred and seventy-seven.

Also, Senate Bill No. 287—An Act for the relief of Charles Dukes, J. D. Billingsly, D. Malloch, William Kincaid, Stacey Taylor, A. M. Abbey, and M. S. Merrill, all of the County of Tulare.

D. REAM, for Committee.

GENERAL FILE.

Senate Joint Resolution No. 12—Relating to the Texas Pacific Railroad.

Made a special order, to be considered with Senate Joint Resolution No. 27, on Friday, the eighth instant, at twelve o'clock M.

Senate Bill No. 232—An Act regulating the forming and impaneling of trial jurors for the Courts of record of Tulare County.

Laid on the table, on motion of Mr. Haymond.

Senate Bill No. 233—An Act to amend an Act entitled an Act to create the Twenty-first Judicial District, approved February fifteenth, eighteen hundred and seventy-six, by changing dates of holding terms of Court in the said District.

Amended.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 236—An Act to add another section to the Political Code, to be known as section six hundred and fifty-five.

Re-referred to the Judiciary Committee, on motion of Mr. Brown of El Dorado.

Senate Bill No. 197—An Act to amend section seventeen hundred and twelve of the Political Code.

Amended.

Ordered engrossed.

Senate Bill No. 205—An Act granting relief to taxpayers whose lands have been sold to the State.

Amendments adopted.

Passed on file.

Assembly Joint Resolution No. 35—Relative to subsidies to steamship companies on the Pacific Ocean.

Amendments adopted.

Read third time, and passed.

Senate Bill No. 31—An Act to amend section one thousand five hundred and seventy-six of the Political Code.

Ordered engrossed.

Senate Bill No. 182—An Act to fix the salary of the Superintendent of Public Schools in the County of Calaveras.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bills Nos. 72 and 73.

Passed on file.

Senate Bill No. 114—An Act to amend section one thousand seven hundred and forty-six of the Political Code.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 158—An Act to amend section one thousand seven hundred and fifty of the Political Code, concerning diplomas.

Indefinitely postponed, on motion of Mr. Lewis.

Senate Bill No. 180—An Act for the relief of John Hoagland and others.

Amendments adopted in Committee of the Whole concurred in.

Mr. Smith moved to amend by striking out sections eight, ten, eleven, twelve, and thirteen, of the bill, on which the ayes and noes were demanded by Messrs. Smith, Lambert, and Norton, and the motion was lost, by the following vote:

AYES—Messrs. Coleman, Dean, Goodwin, Hill, Nunan, Ream, Searls, Smith, and Whitney—9.

NOES—Messrs. Beazell, Bones, Brown of El Dorado, Craig, Crane, Evans, Flint, Gwin, Haymond, Hilborn, Lambert, McCarthy, McCoppin, Montgomery, Norton, and Satterwhite—16.

Mr. Lambert moved a suspension of the rules, that the bill be considered engrossed, and placed on its third reading and passage.

On which the ayes and noes were demanded by Messrs. Smith, Ream, and Searls.

The roll was called, resulting as follows:

AYES—Messrs. Beazell, Brown of El Dorado, Craig, Crane, Evans, Flint, Goodwin, Haymond, Hilborn, Lambert, McCarthy, McCoppin, Montgomery, Norton, and Satterwhite—15.

NOES—Messrs. Coleman, Dean, Gwin, Hill, Nunan, Ream, Searls, Smith, and Whitney—9.

The motion to suspend the rules was lost, two-thirds failing to vote in the affirmative.

The bill was ordered engrossed.

ADJOURNMENT.

At one o'clock and twenty-seven minutes P. M., on motion of Mr. Evans, the Senate adjourned, when the President declared the Senate adjourned until Tuesday, the fifth instant, at one o'clock P. M., under a resolution this day adopted.

IN SENATE.

SENATE CHAMBER,
TUESDAY, February 5th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Evans, Flint, Goodwin, Hilborn, Hill, Howe, Lambert, Lewis, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Smith, and Whitney.

Quorum present.

The Journal of Saturday last was read and approved.

PETITIONS.

Petitions were presented, as follows:

By Mr. Smith—From voters and taxpayers of Los Angeles County, relative to the appointment of a permanent Court Interpreter for said county.

Received, and referred to the Judiciary Committee.

SPECIAL ORDERS.

Senate Joint Resolution No. 6—Relative to the remonetization of silver.

And Senate Joint Resolution No. 21—Concerning the currency.

On motion of Mr. Lambert, made special order for to-morrow, at one o'clock P. M.

REPORTS

Reports were submitted, as follows:

By Mr. Ream:

SENATE CHAMBER,
SACRAMENTO, February 5th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 265—An Act to amend sections one and three of an Act entitled an Act to authorize the Assessor of the City and County of San Francisco to appoint deputies, approved January twenty-fifth, eighteen hundred and seventy.

Also, Senate Bill No. 267—An Act to regulate and limit the payment of money out of the treasury of the City and County of San Francisco.

Also, Substitute for Senate Bill No. 200—An Act to enable the Board of Supervisors of the City and County of San Francisco to increase the police force of said city and county, and provide for the appointment, regulation, and payment thereof.

Also, Senate Bill No. 31—An Act to amend section one thousand five hundred and seventy-six of the Political Code.

REAM and FLINT, for the Committee.

By Mr. McCoppin:

SENATE CHAMBER,
SACRAMENTO, February 5th, 1878. }

MR. PRESIDENT: The Committee on Finance and Claims, to whom was referred Senate Bill No. 10—An Act to amend certain sections of the Political Code of the State of California, approved March twelfth, eighteen hundred and seventy-two, concerning salaries of the civil executive officers of the State—have had the same under consideration, and report it back, with a recommendation that it do not pass.

Also, Senate Bill No. 60—An Act to provide for the payment of certain coupons upon bonds issued by the Central Pacific Railroad Company, and known as "State Aid Bonds"—report the same back, with a recommendation that it do pass.

Also, Senate Bill No. 64—An Act to amend section six hundred and sixty-six of the Political Code—and a majority report the bill back, with a recommendation that it do not pass.

Also, Senate Bill No. 89—An Act to amend section nine of an Act to separate the office of County Recorder from the office of County Clerk, and regulate the salaries of certain officers of the County of Merced, approved March twenty-sixth, eighteen hundred and seventy-four—and recommend that it be referred to the delegation.

Also, Senate Bill No. 144—An Act for the relief of Wells, Fargo & Co.—and recommend its passage.

Also, Senate Bill No. 253—An Act to make an appropriation for the California Woman's Hospital—and recommend its reference to the Committee on Hospitals.

MCCOPPIN, Chairman.

Senate Bill No. 89, above reported, was re-referred to the delegation from Merced County.

And Senate Bill No. 253, above reported, was re-referred to the Committee on Hospitals.

By Mr. Rogers:

Mr. Rogers, from the Committee on Contingent Expenses, reported back the following resolution:

Resolved. That the Controller of State is hereby authorized to pay to S. S. Ford the sum of fifty dollars and twenty cents from the Contingent Fund of the Senate, to reimburse the said S. S. Ford for moneys paid out by him on account of funeral expenses and other matters connected with decease of the late W. Z. Anguey, Senator from Santa Clara—with a recommendation that the amount be reduced from fifty dollars and twenty cents to thirty-five dollars and twenty-five cents, and recommending the passage of the resolution as amended.

Amendment concurred in, and resolution adopted as amended.
Mr. Rogers also submitted the following report:

MR. PRESIDENT: The Committee on Contingent Expenses have carefully examined bills sent to the Sergeant-at-Arms of the Senate for newspapers furnished members of the Senate, and recommend the following be paid out of the appropriation for the contingent expenses of the Senate:

GEO. H. ROGERS, Chairman.

B. S. Burns.	{ nine copies Argonaut - \$13 50 }		
	{ eighteen copies Wasp. 27 00 }		\$40 50
Sonoma Democrat, six copies			13 00
Mountain Messenger, one copy			2 00
San José Mercury, one copy			2 00
Tuolumne Independent, one copy			2 00
Placer Herald, three copies			6 00
Placer Argus, one copy			1 50
Vallejo Chronicle, one copy			2 50
The Monitor, fifteen copies			30 00
Santa Cruz Courier, one copy			1 50
News Letter, twenty-two copies			44 00
Truckee Republican, two copies			4 00
Spirit of the Times, forty copies			97 50
Charles H. Halton.	{ twenty copies San Francisco Chronicle \$50 00 }		
	{ six copies San Francisco Alta 29 50 }		79 50
C. E. Spencer, thirty-five copies Sacramento Record-Union			148 75
Fitzgerald's Home Newspaper, ten copies			15 00
Geo. H. Halton, five copies Sacramento Bee			11 00
San José Herald, three copies			7 00
Solano Republican, one copy			2 00
Napa Register, one copy			1 25
A. S. Hopkins.	{ one copy New York Nation - \$2 50 }		
	{ one copy New York Graphic. 6 00 }		
	{ one copy New York Sun 1 00 }		9 50
Livermore Herald, one copy			1 25
San Mateo Times, two copies			4 00
Stockton Evening Herald, one copy			2 50
Rio Vista Enterprise, three copies			4 50
Dutch Flat Forum, one copy			2 00
Pacific Methodist, one copy			1 25
Rural Press, four copies			7 00
Mining and Scientific Press, one copy			2 00
El Dorado Republican, two copies			4 00
Sacramento Bee, nine copies			13 50
Geo. E. Lytle.	{ twenty-nine copies San Francisco Bulletin - \$121 90 }		
	{ twenty-eight copies San Francisco Examiner 90 80 }		
	{ eleven copies San Francisco Post 20 30 }		233 00
Sacramento Valley Agriculturist, one copy			2 00
Lake Democrat, one copy			1 50
Butte County Register, one copy			2 00
Plumas National, one copy			2 00
San Luis Obispo Tribune, one copy			2 00
Ventura Signal, one copy			1 00
Petaluma Courier, one copy			1 00
San Diego News, one copy			4 00
Los Angeles Express, one copy			1 25
Nevada Gazette, one copy			1 40
Los Angeles Daily Herald, one copy			4 00
Los Angeles Republican, one copy			1 00
Gilroy Advocate, one copy			1 00
The Leader, one copy			40
Santa Clara Echo, one copy			1 00
Oakland Transcript, two copies			6 00
Union Democrat, one copy			2 00
Sacramento Record-Union, twelve copies			11 50

Grass Valley Union, one copy	4 00
Dixon Tribune, one copy	1 00
P. N. Megerle { eight copies San Francisco Mail \$18 25 } { twelve copies San Francisco Call 30 60 }	48 85
Yreka Union, six copies	12 00
San Francisco Elevator, one copy	2 00
Yolo Mail, two copies	4 00
Red Bluff Sentinel, one copy	2 00
Mountain Democrat, one copy	2 00
Calaveras Chronicle, one copy	2 00
Colusa Sun, two copies	4 00
San Francisco Portico, one copy	2 00
Geo. E. Lytle { one copy San Francisco Bulletin \$2 15 } { one copy San Francisco Post 1 30 }	3 45
C. E. Spencer, one copy Sacramento Record-Union	2 15
Charles H. Halton, one copy San Francisco Chronicle	1 30

The report was adopted.

ASSEMBLY MESSAGES.

The following messages were received from the Assembly :

ASSEMBLY CHAMBER,
SACRAMENTO, February 2d, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the first day of February, A. D. eighteen hundred and seventy-eight, adopted Assembly Concurrent Resolution No. 39—Relative to Constitutional Convention.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, February 5th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the first day of February, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 206—An Act in relation to the office of Court Commissioner in Sacramento County.

Also, Assembly Bill No. 16—An Act in relation to the government of the City of Sacramento.

Also, Assembly Bill No. 148—An Act fixing the salary of the County Treasurer of the County of Inyo.

And, on February second, passed Assembly Bill No. 293—An Act authorizing the Board of Supervisors of the County of Colusa to approve official bonds of county and township officers in said county.

Also, Assembly Bill No. 90—An Act to regulate the use of artesian wells, and to prevent the waste of subterranean waters, in this State.

And that the Assembly receded from two amendments to Senate Bill No. 146—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Mayor, Auditor, and Treasurer, and to authorize certain appropriations of money by said Board.

Also, amended and passed Senate Bill No. 104—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor, Treasurer, and Superintendent of Public Streets, Highways, and Squares thereof, and to authorize an appropriation of money by said Board.

Also, amended and passed Senate Bill No. 93—An Act to authorize the Board of State Harbor Commissioners to pay the claim of Sheldon and Graves.

Also, passed Senate Bill No. 106—An Act to repeal an Act entitled an Act restricting the herding of sheep to certain pastures, in the Counties of Sonoma and Marin, and all Acts amendatory thereof, so far as they relate to the Counties of Mendocino and Humboldt.

Also, Senate Bill No. 68—An Act to amend an Act in relation to the care of orphans and abandoned children, approved March seventh, eighteen hundred and seventy-four.

Also, Senate Bill No. 261—An Act making an appropriation to pay the expenses of Presidential Electors.

Also, Senate Bill No. 145—An Act to pay the claims of the County of Sacramento.

Also, Senate Bill No. 130—An Act to extend the time for the construction of a raceway through the City of Placerville.

Also, amended and passed Senate Bill No. 192—An Act to amend an Act entitled an Act to prevent hogs and goats from running at large on certain lands in this State, approved March thirty-first, eighteen hundred and seventy-six.

Also, passed Senate Bill No. 139—An Act entitled an Act to amend an Act concerning Agricultural Societies, approved March twelfth, eighteen hundred and fifty-nine.

Also, concurred in Senate Concurrent Resolution No. 32—Adding Senator Bones to the Committee on the Labor Question.

Also, passed Assembly Bill No. 195—An Act relative to cheese factories.

Also, Assembly Bill No. 269—An Act to appropriate funds for the use of the County Clerk of San Diego County, to pay deputies.

Also, Assembly Bill No. 273—An Act to change the name of a town in Amador County.

Also, Assembly Bill No. 303—An Act to amend an Act entitled an Act to separate the office of County Auditor from the office of County Recorder, and to regulate salaries in the Counties of Fresno, Tulare, and Kern, approved March eighth, eighteen hundred and seventy-six.

Also, Assembly Bill No. 250—An Act to repeal an Act entitled an Act to create a special road district in the County of Santa Barbara, and to provide a road fund for said district, approved March twenty-seventh, eighteen hundred and seventy-six.

Also, Assembly Bill No. 203—An Act to amend an Act entitled an Act to provide for a Police Contingent Fund, approved February twenty-eighth, eighteen hundred and fifty-nine.

Also, Assembly Bill No. 184—An Act to amend an Act entitled an Act repealing article fourth of an Act entitled an Act to repeal the several charters of the City of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved the nineteenth day of April, eighteen hundred and fifty-six, and all Acts and parts of Acts amendatory thereof and supplementary thereto, and substituting this Act for said article four, approved April first, eighteen hundred and seventy-two.

Also, Assembly Bill No. 124—An Act for the relief of John Rorden, B. H. Kenny, Patrick Donohoe, and W. B. Jourden.

Also, Assembly Bill No. 188—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure, in reference to when cases in Court may be dismissed, or non-suit entered.

Also, Assembly Bill No. 212—An Act relative to Justices' fees, and amendatory of an Act approved April fourth, eighteen hundred and seventy, entitled an Act to regulate fees of office, approved March sixth, eighteen hundred and seventy.

Also, Assembly Bill No. 268—An Act for the relief of J. M. Garretson, Assessor of the County of Santa Barbara.

Also, Assembly Bill No. 162—An Act to amend section eight hundred and fifty-three of the Code of Civil Procedure.

Also, Assembly Bill No. 254—An Act for the relief of Colusa County.

Also, passed Assembly Bill No. 317—An Act supplementary to and amendatory of an Act to facilitate the construction of a canal for the improvement of Oakland Harbor, approved April third, eighteen hundred and seventy-six.

Also, Assembly Bill No. 166—An Act to provide for the payment of witnesses in criminal cases, in the County of Placer.

Also, Assembly Bill No. 308—An Act to fix the compensation of Road Overseers of the Counties of Alameda and San Mateo, and in relation to the road poll tax thereof.

And, on February fourth, passed Senate Bill No. 159—An Act to amend section six of an Act entitled an Act to re-incorporate the Town of Woodland, approved March twenty fourth, eighteen hundred and seventy-four.

And, on the same day, passed Assembly Bill No. 336—An Act relative to the Assessor's office of El Dorado County.

Also, passed Assembly Bill No. 248—An Act to add section nine hundred and twenty-six to the Code of Civil Procedure.

Also, Assembly Bill No. 265—An Act to amend sections one thousand two hundred and twenty-seven, one thousand two hundred and thirty-two, and one thousand two hundred and thirty-three, of the Code of Civil Procedure, relative to the voluntary dissolution of corporations.

Also, Assembly Bill No. 253—An Act to amend section three thousand four hundred and sixty-five of the Civil Code, relative to the omission to record certain assignments.

Also, Assembly Bill No. 334—An Act authorizing a tax for the payment of grand and trial jurors in the County of Alpine.

Also, Assembly Bill No. 240—An Act to amend an Act entitled an Act to separate the office of County Recorder from the County Clerk, and to regulate the salaries of certain officers of the County of Merced, approved March twenty-sixth, eighteen hundred and seventy-four.

And on this day, passed Assembly Bill No. 377—An Act concerning the special election to be held in the Seventh Senatorial District on the thirtieth day of February, eighteen hundred and seventy-eight—and ordered the same transmitted without engrossment.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Concurrent Resolution No. 39, above reported.

Concurred in.

Assembly Bills Nos. 206, and 16, above reported.

Each read first and second times, and referred to the Sacramento delegation.

Assembly Bill No. 148, above reported.

Read first and second times, and referred to the Judiciary Committee.

Assembly Bill No. 293, above reported.

Read first and second times, and referred to the delegation from the Counties of Colusa and Tehama.

Assembly Bill No. 90, above reported.

Read first and second times, and referred to the Committee on Irrigation and Water Rights.

Senate Bill No. 194, above reported.

Referred to the San Francisco delegation.

Senate Bills Nos. 93 and 192, above reported.

Assembly amendments concurred in.

Assembly Bill No. 195, above reported.

Read first and second times, and referred to the Committee on Agriculture.

Assembly Bills Nos. 268, 269, 254, and 334, above reported.

Each read first and second times, and referred to the Committee on Finance and Claims.

Assembly Bills Nos. 273, 303, and 250, above reported.

Each read first and second times, and referred to the delegations named in the bills.

Assembly Bills Nos. 203, 184, and 124, above reported.

Each read first and second times, and referred to the San Francisco delegation.

Assembly Bills Nos. 188, 212, 162, 166, 248, 253, and 265, above reported.

Each read first and second times, and referred to the Judiciary Committee.

Assembly Bills Nos. 317, 308, 336, and 240, above reported.

Each read first and second times, and referred to the delegations named in the bills.

REPORTS.

Mr. McCarthy submitted a report, as follows:

SENATE CHAMBER.
SACRAMENTO, February 5th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 168—An Act to declare Sonoma River navigable.

Also, Senate Joint Resolution No. 23—Relative to public lands in this State.

Also, Senate Bill No. 71—An Act to ratify and confirm an ordinance of the City of Oakland, entitled an ordinance abandoning certain streets in East Oakland, approved May twentieth, eighteen hundred and seventy-six.

Also, Senate Bill No. 103—To confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Treasurer, Auditor, and Superintendent of Public Streets, etc., and to authorize an appropriation of money by said Board.

Also, Senate Bill No. 128—An Act to authorize the District Attorney of the City and County of San Francisco to appoint a Second Assistant District Attorney.

Also, Senate Bill No. 67—An Act to add a new section to the Civil Code—Relative to marriage.

Also, Senate Bill No. 220—An Act to repeal an Act entitled an Act to prevent hogs from running at large in the Towns of Red Bluff and Tehama.

And this day, at two o'clock P. M., presented the same to the Governor.

T. MCCARTHY, Chairman.

INTRODUCTION OF BILLS.

Bills were introduced, as follows:

By Mr. Pierson—An Act to amend section seven hundred and ninety-one of the Political Code.

By Mr. Goodwin—An Act to add a new section to the Penal Code, to be known as section one thousand six hundred and fifteen.

Each of the above bills read first and second times, and referred to the Judiciary Committee.

By Mr. Howe—An Act to adopt a spelling-book for use in the public schools of this State.

Read first and second times, and referred to the Committee on Education.

By Mr. McCoppin—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

Also, an Act to add a section to Title Twelfth of Part Fourth of the First Division of the Civil Code.

By Mr. Searls—An Act legalizing the State and county tax and assessments in the County of Nevada, in eighteen hundred and seventy-seven and eighteen hundred and seventy-eight.

Each of the above bills read first and second times, and referred to the Judiciary Committee.

By Mr. McCarthy—An Act to authorize certain appropriations of money by the Board of Supervisors of the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Ream—An Act to amend section four hundred and eighty-seven of the Penal Code, in relation to the crime of grand larceny.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Brown of El Dorado—An Act to establish a scale for the measurement of logs.

Read first and second times, and referred to the Committee on Corporations.

By Mr. Craig—An Act to amend section three hundred and forty of the Penal Code.

Read first and second times, and referred to the Judiciary Committee.

Mr. McCoppin, by general consent, withdrew Senate Bill No. 272, and introduced a new bill—An Act to add a new section to the Political Code.

Read first and second times, and referred to the Committee on Education.

The President appointed Mr. Satterwhite to fill the vacancy caused by the death of Senator Angney in the Committee on Claims and Finance.

GENERAL FILE.

Substitute for Senate Bill No. 33, and Senate Bill No. 205.

Passed on file.

Senate Bill No. 72—An Act to amend section one thousand five hundred and sixty, and to repeal section one thousand five hundred and sixty-one of the Political Code, relating to County Institutes.

On motion of Mr. McGarvey, amended by inserting an enacting clause.

Senate refused to engross the bill.

Senate Bill No. 73—An Act to amend certain sections of the Political Code and to repeal other sections of same Code.

Mr. Lewis moved to indefinitely postpone the bill.

Upon which the ayes and noes were demanded by the requisite number, and the Senate refused by a vote, as follows:

AYES—Messrs. Brown of Amador, Coleman, Crane, Curtis, Dean, Flint, Gwin, Hilborn, Lambert, Lewis, Murphy of San Francisco, and Pierson—12.

NOES—Messrs. Brown of El Dorado, Craig, Haymond, Hill, Howe, McCarthy, McCoppin, McGarvey, Montgomery, Ream, Rogers, Searls, Smith, and Whitney—14.

Upon the question of engrossment, the ayes and noes were demanded by Messrs. Lambert, Smith, and McGarvey.

The roll was called, and the bill was ordered engrossed by a vote, as follows:

AYES—Messrs. Brown of El Dorado, Coleman, Craig, Haymond, Hill, McCarthy, McCoppin, McGarvey, Montgomery, Ream, Rogers, Searls, Smith, and Whitney—14.

NOES—Messrs. Brown of Amador, Crane, Curtis, Dean, Evans, Flint, Gwin, Hilborn, Howe, Lambert, Lewis, Murphy of San Francisco, and Pierson—13.

Senate Joint Resolution No. 26—Memorializing Congress to abolish the duty on grain bags, and the materials of which they are made.

Rules suspended, considered engrossed, read third time, and passed, and ordered transmitted to the Assembly.

On motion of Mr. Pierson, Assembly Bill No. 377—An Act concerning the special election to be held in the Seventh Senatorial District on the thirteenth day of February, eighteen hundred and seventy-eight—was taken up.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

ADJOURNMENT.

At two o'clock and fifty-seven minutes P. M., on motion of Mr. Lewis, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
WEDNESDAY, February 6th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Goodwin, Gwin, Hilborn, Hill, Howe, Lambert, Lewis, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

On motion of Mr. Murphy of San Francisco, the reading of the Journal of yesterday was dispensed with, and the same approved.

LEAVE OF ABSENCE.

Messrs. Murphy of Santa Clara and McCarthy were granted indefinite leave of absence, and Mr. Norton for one day.

PETITIONS.

Petitions were presented, as follows:

By Mr. Howe—From the managers of the Home for Aged and Infirm Females, situated at Rincon Hill, San Francisco, accompanied by a report of said institution, asking for an appropriation of ten thousand dollars.

By Mr. McCoppin—From the managers of the Magdalen Asylum, situated in the City and County of San Francisco, also accompanied by a report, asking for an appropriation of fifteen thousand dollars.

Each of the above received, and referred to the Committee on Finance.

REPORTS.

Reports were submitted, as follows:

By Mr. McGarvey:

WEDNESDAY, February 6th, 1878.

MR. PRESIDENT: The Judiciary Committee have had under consideration Senate Bill No. 263—An Act to provide for the appointment of a Reporter of the decisions of the Supreme Court—and report the same back amended, and without recommendation.

Also, Assembly Bill No. 191—An Act relative to certain duties of Constables in the several townships of the County of Alameda—report the same back, and recommend that it do not pass.

McGARVEY, Chairman.

Mr. Rogers, for the delegation, verbally reported Assembly Bill No. 234—An Act to provide for the extermination of squirrels in the County of San Mateo—requesting its reference to the Committee on Agriculture.

So ordered.

By Mr. Searls:

MR. PRESIDENT: The Committee on Corporations have had under consideration Senate Bill No. 255—An Act to amend an Act entitled an Act to incorporate the City of Stockton, approved March twenty-seventh, A. D. one thousand eight hundred and seventy-two—and report the same back, and recommend that it do pass.

Also, Senate Bill No. 20—An Act to amend section five hundred and seventy-four of the Civil Code—and report the same back, and recommend that it do not pass.

Also, Senate Bill No. 100—An Act to amend section five hundred and seventy-one of the Civil Code, and to add a new section to said Civil Code, to be numbered five hundred and eighty, in regard to Savings and Loan Corporations—and report the same back, with the recommendation that it do not pass.

NILES SEARLS, Chairman.

[Mr. Rogers in the chair.]

ASSEMBLY MESSAGE.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, February 6th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 388—An Act to amend an Act entitled an Act to enable the Board of Supervisors of the County of Alameda to erect the county building of said county upon Washington and Franklin plazas, in the City of Oakland, approved February fourth, one thousand eight hundred and seventy-four—and ordered the same transmitted without engrossment.

And, on yesterday, passed Assembly Bill No. 387—An Act to confer additional powers on the Board of Levee Commissioners of the City of Sacramento—and ordered the same transmitted without engrossment.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 388, above reported.

Read first and second times.

Rules suspended, and, by unanimous consent, read third time, and passed.

Assembly Bill No. 387, above reported.

Read first and second times, and referred to the Sacramento County delegation.

Subsequently the bill was reported by Mr. Curtis, and its passage recommended.

Rules suspended, and, by unanimous consent, read third time, and passed.

ASSEMBLY CHAMBER.
SACRAMENTO, February 6th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the death of Hon. C. W. Upton, member from Santa Clara County, was this day announced to the Assembly, whereupon Assembly Concurrent Resolution No. 42, relative thereto, was unanimously adopted, and the same is herewith transmitted, with the request that the Senate concur therein.

Under the above resolution, the Speaker appointed as committee, on part of the Assembly, Messrs. Hanna, McComas, Pace, Dinniene, and Backus.

And that the Assembly will adjourn, as a further mark of respect to the deceased.

E. L. CRAWFORD, Assistant Clerk.

IN MEMORIAM.

Assembly Concurrent Resolution No. 42, above reported, announcing the death of the Hon. C. W. Upton, member of the Assembly from Santa Clara County, was concurred in by a unanimous vote, each Senator rising from his seat.

The Chair appointed, as the committee provided for under the resolution, on the part of the Senate, Messrs. Murphy of Santa Clara, Howe, Hilborn, Hill, and Beazell.

On motion of Mr. Lewis, the rules were suspended, and the special order set for twelve M. was now taken up.

Substitute for Senate Bill No. 35—An Act to confirm certain letters patent of the State of California to W. F. Montgomery et al.

Mr. McGarvey offered an amendment, as follows:

Amend section one by striking out all after the word "thereon," in line ten of the printed bill, and add, "and has, since April eighteenth, eighteen hundred and sixty-two, made expenditures for the reclamation of the same, whether in connection with Swamp Land District, or otherwise, and for fencing upon, and other improvements and expenditures upon or for its benefit, a sum which shall amount to one dollar per acre for the whole of the land so claimed by him, which improvements are now on the land."

The Senate refused to adopt the amendment.

Mr. McGarvey offered the following amendment:

Amend section one by striking out all after the word "thereon," in line ten of printed bill, and add, "and has, since November eleventh, eighteen hundred and sixty-seven, made expenditures for the reclamation of the same, whether in connection with Swamp Land District, or otherwise, and for fencing upon, and other improvements and expenditures upon or for its benefit, a sum which shall amount to one dollar per acre for the whole of the land so claimed by him, which improvements are now on the land."

Lost.

Mr. Fowler offered an amendment, by striking out "eighteen hundred and sixty-seven," where the same occurs in section one, and substituting "eighteen hundred and sixty-two."

On which the ayes and noes were demanded by Messrs. Fowler, Craig, and McCoppin, and the amendment was rejected by the following vote:

AYES—Messrs. Beazell, Boyston, Fowler, Hill, Howe, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Luis Obispo, Numan, Rogers, and Smith—13.

NOES—Messrs. Bones, Brown of Amador, Brown of El Dorado, Coleman, Craig, Donovan, Evans, Flint, Goodwin, Gwin, Hilborn, Lambert, Lewis, Murphy of San Francisco, Pierson, Ream, Satterwhite, Searls, and Shirley—19.

Mr. Donovan offered a substitute for the whole matter, as follows, to be inserted after enacting clause:

SECTION 1. All the swamp and overflowed lands within the exterior limits of what is known as the Montgomery patent (with the exceptions of any portion or portions that may be cultivated as gardens or farms, or used as residence property, or building lots) are hereby withdrawn from sale and location under the Swamp and Overflowed Land Acts of this State.

SEC. 2. When the suit to set aside the Montgomery patent shall have been decided, if said suit shall be decided in favor of the State, then the Governor and Secretary of State are appointed a commission to have the said lands surveyed, and when the said surveys are completed, then the said Commissioners shall sell at public auction all of said land, in lots not exceeding three hundred and twenty acres in extent, to the highest bidder, for cash; *provided*, that said sale shall be advertised at least ninety days before said sale, in daily newspapers published in this State, as follows: San Francisco, two papers, daily; Sacramento, one paper, daily; and three other papers published in the county or counties in which said land is located, as the Commissioners may direct.

Lost.

Mr. McGarvey offered an amendment, as follows:

Amend section three, adding after the last word, as follows:

"Not exceeding six hundred and twenty acres."

On which the ayes and noes were demanded by Messrs. McGarvey, Hill, and Beazell, and the amendment was rejected by a vote, as follows:

AYES—Messrs. Beazell, Boyston, Crane, Donovan, Fowler, Hill, Lewis, McCarthy, McCoppin, McGarvey, Murphy of San Luis Obispo, Numan, Pierson, Ream, Rogers, and Smith—16.

NOES—Messrs. Bones, Brown of Amador, Brown of El Dorado, Coleman, Craig, Dean, Evans, Flint, Goodwin, Gwin, Hilborn, Lambert, Montgomery, Murphy of San Francisco, Satterwhite, Searls, Shirley, and Whitney—18.

On motion of Mr. Lewis, the rules were suspended, and the bill considered engrossed, and put upon its third reading and passage.

Read third time, and passed.

Mr. Lewis, for the delegation (by leave), verbally reported Assembly Bill No. 293—An Act to authorize the Board of Supervisors of the County of Colusa to approve official bonds of county and town-ship officers of said county—recommending the passage of the bill.

Mr. Beazell (by leave) offered a resolution, as follows :

Resolved, That Senator Bones be added to the Committee on Public Buildings and Grounds.

Adopted.

SPECIAL ORDER.

Senate Joint Resolution No. 6, and Senate Joint Resolution No. 21, were continued for Friday next, at one o'clock P. M., on motion of Mr. Lambert.

Mr. Searls (by leave) offered a resolution, as follows :

Resolved, That the seat of the late Senator Angney be awarded, from and after February thirteenth, eighteen hundred and seventy-eight, to Senator Bones of Alameda.

Adopted.

INTRODUCTION OF BILLS.

Bills were introduced (by leave), as follows :

By Mr. Nunan—An Act to increase the appropriation for the support of the Hospitals and Alms-house of the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Brown of Amador (by request)—An Act to authorize the payment of wages due workmen for labor in the construction of the Branch Prison at Folsom, and for which labor the State has not paid.

Read first and second times, and referred to the Committee on Claims.

Mr. McGarvey (by leave) offered a resolution, as follows :

WHEREAS, R. A. Redmond, Clerk of the Judiciary Committee, has been, since January sixteenth, one thousand eight hundred and seventy-eight, prevented by sickness from discharging the duties of such Clerk; and whereas, C. F. Reardon has served said committee as the Clerk thereof; now, therefore, be it

Resolved, That the sum of eight dollars per day, from and including the seventeenth day of January, one thousand eight hundred and seventy-eight, be paid C. F. Reardon from the contingent fund of the Senate.

Rules suspended, and the resolution adopted.

ADJOURNMENT.

Mr. Evans (by leave) offered the following resolution :

Resolved, That out of respect to the memory of the Hon. C. W. Upton, deceased, late member of the Assembly of the present Legislature, the Senate do now adjourn until Friday, February eighth, at one o'clock P. M.

Adopted unanimously.

And at one o'clock and forty-five minutes P. M., the Chair declared the Senate adjourned until Friday next, at one o'clock P. M.

IN SENATE.

SENATE CHAMBER.

FRIDAY, February 8th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bones, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Curtis, Dean, Donovan, Evans, Flint, Goodwin, Gwin, Haymond, Hilborn, Lewis, McCarthy, McCallister, McCarver, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Numan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

On motion of Mr. McCarthy, the reading of the Journal of Wednesday, the sixth instant, was dispensed with, and the same approved.

Mr. Fowler was granted leave of absence for one day.

UNFINISHED BUSINESS.

Senate Joint Resolution No. 24—Concerning the Southern policy and the civil service policy of the President.

On motion of Mr. Hilborn, the rules were suspended, and the resolution taken from unfinished business and made a special order for Friday, the fifteenth instant, at one o'clock P. M.

SPECIAL ORDERS—SET FOR TWELVE O'CLOCK M., TO-DAY.

Senate Joint Resolution No. 27—Relative to trans-continental railroads, and Senate Joint Resolution No. 12—Relating to the Texas Pacific Railroad—were taken up, under a suspension of the rules, and, on motion of Mr. Dean, Senate Joint Resolution No. 27 was continued as a special order for Thursday, the fourteenth instant, at one o'clock P. M.

On motion of Mr. Satterwhite, Senate Joint Resolution No. 12 was continued as a special order for to-morrow, the ninth instant, at twelve o'clock M.

The special orders set for one o'clock P. M. were now taken up.

Senate Joint Resolution No. 6—Relative to the remonetization of silver.

Senate Joint Resolution No. 21—Concerning the currency.

On motion of Mr. Satterwhite, number twenty-one was substituted for number six.

Mr. Pierson offered a substitute, as follows:

JOINT RESOLUTIONS CONCERNING THE CURRENCY.

Resolved by the Senate, the Assembly concurring. That we are opposed to the repeal of the Resumption Act, and that we are opposed to the remonetizing of silver, except upon the basis of a silver dollar of weight and fineness equal in value to a dollar in gold; and if so remonetized, then upon the further basis, that such silver dollar shall be maintained by enactments, from time to time, of a standard equal to its relative value with gold; and that such silver dollar should not be made a legal tender for more than fifty dollars.

Resolved. That the Governor be requested to transmit a certified copy of the foregoing resolution to each of our Senators and Representatives in Congress.

Upon the adoption of the substitute offered by Mr. Pierson, the ayes and noes were demanded by Messrs. Pierson, Evans, and Ream, and it was adopted by a vote, as follows:

AYES—Messrs. Beazell, Brown of Amador, Brown of El Dorado, Coleman, Dean, Evans, Goodwin, Gwin, Hilborn, Hill, McCoppin, McGarvey, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Searls, and Whitney—20.

NOES—Messrs. Boyston, Craig, Curtis, Donovan, Haymond, Lambert, Lewis, Montgomery, Satterwhite, and Smith—10.

Mr. Evans moved to amend the resolution by dividing the question, and that the Senate vote on the first clause, as follows:

Resolved by the Senate, the Assembly concurring, That we are opposed to the repeal of the Resumption Act.

On which the ayes and noes were demanded by Messrs. Beazell, Pierson, and Dean, and the clause of the resolution was adopted by a vote, as follows:

AYES—Messrs. Beazell, Bones, Brown of Amador, Brown of El Dorado, Coleman, Craig, Dean, Donovan, Evans, Goodwin, Gwin, Hilborn, Hill, McCoppin, McGarvey, Montgomery, Murphy of San Luis Obispo, Murphy of Santa Clara, Pierson, Ream, Rogers, Searls, and Whitney—23.

NOES—Messrs. Curtis, Lambert, Lewis, Nunan, Satterwhite, and Smith—6.

The question being on adopting the second subdivision of the resolution, Mr. McCoppin moved an amendment by striking out the words "opposed to," and to insert in lieu thereof the words "in favor of."

On which the ayes and noes were demanded by Messrs. Pierson, Evans, and Craig, and the amendment was adopted by a vote, as follows:

AYES—Messrs. Beazell, Bones, Brown of Amador, Brown of El Dorado, Craig, Curtis, Donovan, Hilborn, Hill, Lambert, Lewis, McCoppin, Montgomery, Murphy of San Luis Obispo, Murphy of Santa Clara, Rogers, Satterwhite, and Smith—18.

NOES—Messrs. Coleman, Dean, Evans, Goodwin, Gwin, McGarvey, Nunan, Pierson, Ream, Searls, and Whitney—11.

Mr. Pierson moved to amend by striking out the word "except."
Carried.

Mr. McCoppin moved to amend by striking out all the resolution after the words "remonetization of silver," on which the ayes and noes were demanded by Messrs. Pierson, Lewis, and McCoppin, and the Senate refused by a vote, as follows:

AYES—Messrs. Beazell, Bones, Craig, Curtis, Donovan, Lambert, Lewis, McCoppin, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Ream, Satterwhite, and Smith—14.

NOES—Messrs. Brown of Amador, Coleman, Dean, Evans, Goodwin, Gwin, Hilborn, McCarthy, McGarvey, Murphy of Santa Clara, Nunan, Pierson, Rogers, Searls, and Whitney—15.

Mr. Pierson moved to amend by striking out all after the words "dollar of gold," to and including the words "with gold."

Mr. Smith offered an amendment.

Mr. McCoppin moved to refer the whole subject matter to the Committee on Finance and Claims.

On which the ayes and noes were demanded by Messrs. Brown of El Dorado, Craig, and Nunan, and it was so referred by a vote, as follows:

AYES—MESSES. BONES, Craig, Curtis, Donovan, Lambert, Lewis, McCarthy, McCoppin, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Smith, and Whitney—19.

NOES—MESSES. BROWN of Amador, BROWN of El Dorado, Coleman, Dean, Evans, Goodwin, Gwin, Hilborn, McGarvey, and Searls—10.

REPORTS.

Reports were submitted, as follows :

By Mr. Nunan :

SENATE CHAMBER,)
SACRAMENTO, February 8th, 1878. }

MR. PRESIDENT: The San Francisco delegation, to whom was referred Senate Bill No. 46—An Act to prevent the adulteration of milk, and to establish the office of Milk Inspector in and for the City and County of San Francisco—have had the same under consideration, report it back without recommendation.

Also, Senate Bill No. 97—An Act to create a new Court in the City and County of San Francisco, to be designated as the Municipal Court of Appeals of the City and County of San Francisco—have had the same under consideration, and report it back without recommendation.

Also, Senate Bill No. 268—An Act to amend section two of an Act entitled an Act to create a City Criminal Court in and for the City and County of San Francisco, approved April third, eighteen hundred and seventy-six—have had the same under consideration, report it back, and recommend its passage.

Also, Senate Bill No. 273—An Act to legalize the assessment of taxes in the City and County of San Francisco, and to ratify and confirm a resolution of the Board of Supervisors of the City and County of San Francisco—have had the same under consideration, report it back, and recommend its passage.

Also, Senate Bill No. 286—An Act granting certain privileges to the North Beach and Mission Railroad Company—have had the same under consideration, report it back, and recommend its passage.

Also, Senate Bill No. 280—An Act to confer additional powers upon, and to authorize certain appropriations of money by, the Board of Supervisors of the City and County of San Francisco—have had the same under consideration, report it back, and recommend its passage as amended.

EDWARD NUNAN, Chairman.

Mr. Lewis (by leave) verbally reported Assembly Bill No. 56—An Act to legalize and enforce the collection of a district school tax, and to render lawful the acts of the Board of Trustees of North Butte School District, pursuant to an election held therein—recommending its passage.

By Mr. McGarvey :

SENATE CHAMBER,)
SACRAMENTO, February 8th, 1878. }

MR. PRESIDENT: The Judiciary Committee have had under consideration Substitute for Assembly Bill No. 41—An Act to fix the terms of the County and Probate Courts in and for the County of Lake—and report the same back with amendments, and recommend its passage as amended.

Also, Senate Bill No. 185—An Act for the relief of George C. Knox—and report the same back with amendments, and recommend its passage as amended.

Also, Senate Bill No. 278—An Act to amend section nine hundred of the Penal Code, relating to challenges to individual grand jurors—report the same back, and recommend its passage.

Also, Senate Bill No. 279—An Act to amend section three hundred and fifty-seven of the Penal Code—report the same back, and recommend its passage.

Also, Senate Bill No. 275—An Act to ratify the contract between the Stockton Gas Company and the City of Stockton, to supply gas to said city and its inhabitants, approved by the Acting Mayor of said city on the eighteenth day of December, eighteen hundred and seventy-seven—and report the same back, recommending its passage.

Also, Assembly Bill No. 93—An Act to amend section fifty-four of the Penal Code—report the same back, and recommend that it do not pass.

Also, Assembly Bill No. 156—An Act to amend sections two hundred and sixty-six and two hundred and seventy-five of the Penal Code, in reference to the crimes of seduction and producing abortions—report the same back, and recommend that it do not pass.

Also, Assembly Bill No. 214—An Act to amend section nine hundred and seventy-four of the Code of Civil Procedure, in reference to the time when an undertaking shall be filed on an appeal to the County Court—report it back, and recommend that it do not pass.

Also, Assembly Bill No. 220—An Act to amend section one thousand two hundred and

ninety-one of the Penal Code, in reference to what Magistrate may admit prisoners to bail—report the same back, and recommend its passage.

Also, Senate Bill No. 274—An Act to amend section one thousand one hundred and sixty of the Civil Code—report the same back, and recommend its passage.

Also, Senate Bill No. 277—An Act to amend sections three thousand eight hundred and fifty-seven and three thousand eight hundred and fifty-eight of the Political Code—report the same back, and recommend its passage.

Also, Senate Bill No. 282—An Act to amend section two thousand and eighty-four of the Code of Civil Procedure, in relation to proceedings to perpetuate testimony—report the same back, and recommend its passage.

Also, Senate Bill No. 239—An Act to consolidate certain funds, and to create therefrom a permanent endowment for the University of California, of which the interest only shall be used by the Board of Regents to meet current expenses—report the same back, and recommend its passage.

McGARVEY, Chairman.

By Mr. Ream :

SENATE CHAMBER, }
SACRAMENTO, February 8th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 182—An Act to fix the salary of Superintendent of Public Schools in the County of Calaveras.

Also, Senate Bill No. 197—An Act to amend section one thousand seven hundred and twelve of the Political Code.

Also, Senate Bill No. 114—An Act to amend section one thousand seven hundred and forty-six of the Political Code.

Also, Senate Bill No. 180—An Act for the relief of John Hoagland and others.

Also, Senate Bill No. 233—An Act to amend an Act entitled an Act to create the Twenty-first Judicial District, approved February fifteenth, one thousand eight hundred and seventy-six, by changing dates of holding terms of Court in said district.

Also, Senate Bill No. 73—An Act to amend certain sections of the Political Code, and to repeal other sections of same Code, relating to public schools.

Also, Senate Bill No. 261—An Act making an appropriation to pay the expenses of Presidential Electors.

Also, Senate Bill No. 192—An Act to amend an Act entitled an Act to prevent hogs and goats running at large on certain lands in this State, approved March thirty-first, eighteen hundred and seventy-six.

Also, Senate Bill No. 146—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Mayor, Auditor, and Treasurer thereof, and to authorize certain appropriations of money by said Board.

Also, Senate Bill No. 93—An Act to authorize the Board of State Harbor Commissioners to pay the claim of Sheldon and Graves.

D. REAM, for the Committee.

ADJOURNMENT.

At four o'clock and fifteen minutes p. m., on motion of Mr. Evans, the Senate adjourned.

IN SENATE.

SENATE CHAMBER, }
SATURDAY, February 9th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names :

Messrs. Beazell, Bones, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

The Journal of yesterday was read and approved.

Messrs. Fowler and Norton were granted indefinite leave of absence, and Mr. Flint for two days.

PETITIONS.

Mr. Smith presented a petition from Señora Pelar Bunal de Pico, widow of Señor Don Antonio Maria Pico, deceased, asking aid from the State for reasons set forth in the petition.

Received, and referred to the Committee on Claims.

REPORTS.

Reports were submitted, as follows:

By Mr. Ream:

MR. PRESIDENT: The Committee on Hospitals have had under consideration Senate Bill No. 281—An Act to add a new section to the Penal Code, in relation to the adulteration of candies—report the same back, and recommend its passage.

D. REAM, Chairman.

By Mr. Murphy of Santa Clara:

MR. PRESIDENT: The Joint Committee, to whom was referred the proposals for translating the laws into Spanish, beg leave to report that they have met and considered said proposals, and have awarded the contract for said work to Mrs. Adelina B. Godoy, for sixteen cents per folio.

B. D. MURPHY, Chairman.
PAUL SHIRLEY.

By Mr. Lambert:

MR. PRESIDENT: The Joint Committee of the Senate and Assembly, on Chinese affairs, have had under consideration Assembly Joint Resolution No. 3—Relative to Chinese immigration—and herewith report the same back, with amendments, and recommend the passage of the resolution as amended.

LAMBERT, Chairman.

On motion of Mr. Lambert, the rules were suspended, and the resolution, above reported, taken up for consideration.

An amendment proposed to the resolution, reading as follows:

Amend the resolution, on page four, by striking out all after the word "upon," on line twenty-one, down to and including the word "upon," on line twenty-four.

Was rejected.

On the adoption of an amendment, as follows:

Amend the resolution, on page five, by striking out the words "so modify the treaties and laws now governing this subject," on lines four, five, and six thereof, and by inserting the following in place thereof: "pass as speedily as possible an Act of Congress, providing in direct and unmistakable terms."

The ayes and noes were demanded by Messrs. Lambert, McCoppin, and Howe, and the Senate refused to adopt the amendment by a vote, as follows:

AYES—Messrs. Beazell, Bones, Curtis, Donovan, Howe, Lambert, McCoppin, Murphy of San Francisco, and Rogers—9.

NOES—Messrs. Brown of Amador, Coleman, Crane, Dean, Evans, Goodwin, Hilborn, Hill, Lewis, McFarvey, Montgomery, Murphy of Santa Clara, Pierson, Ream, Searls, Shirley, and Whitney—17.

The resolution was then read third time, and passed.
By Mr. Beazell:

MR. PRESIDENT: The San Mateo and Alameda delegations, to whom was referred Assembly Bill No. 308—An Act to fix the compensations of Road Overseers of the Counties of Alameda and San Mateo, and in relation to the road poll tax thereof—report the same back, and recommend its passage.

J. W. BONES,
J. BEAZELL,
GEO. H. ROGERS.

Also:

MR. PRESIDENT: The Alameda delegation, to whom was referred Assembly Bill No. 11—An Act for the relief of the School Department of the City of Oakland—report the same back without recommendation.

Also, have had under consideration, Assembly Bill No. 317—An Act supplemental to and amendatory of an Act entitled an Act to facilitate the construction of a canal for the improvement of Oakland Harbor, approved April third, eighteen hundred and seventy-six—report the same back, and recommend its passage.

J. BEAZELL,
J. W. BONES.

By Mr. Ream:

SENATE CHAMBER,
SACRAMENTO, February 9th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Substitute for Senate Bill No. 35—An Act to confirm certain letters patent of the State of California to W. F. Montgomery et al.

D. REAM, for the Committee.

By Mr. Montgomery:

MR. PRESIDENT: The delegation, to whom was referred Senate Bill No. 89, entitled—An Act to amend section nine of an Act entitled an Act to separate the office of County Recorder from the office of County Clerk, and regulate the salaries of certain officers of the County of Merced, approved March twenty-sixth, eighteen hundred and seventy-four—has had the same under consideration, and report it back, with a recommendation that it pass.

Also, Assembly Bill No. 240, entitled—An Act to separate the office of County Recorder from the office of County Clerk, and to regulate the salaries of certain officers of the County of Merced, approved March twenty-sixth, eighteen hundred and seventy-four—and recommend that it do pass.

J. M. MONTGOMERY, Delegation.

ASSEMBLY MESSAGE.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, February 8th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the fifth day of February, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 235—An Act to amend an Act entitled an Act concerning roads and highways in the County of Placer, approved March twenty-third, eighteen hundred and seventy-six.

Also, Assembly Bill No. 357—An Act to authorize the Board of Supervisors of Nevada County to remove the bodies of certain deceased persons.

And, on the sixth day of February, passed Assembly Bill No. 153—An Act to increase the police force of the City and County of San Francisco.

Also, Assembly Bill No. 187—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 235, above reported.

Read first and second times, and referred to the Committee on Roads and Highways.

Assembly Bill No. 357, above reported.

Read first and second times, and referred to the Nevada County delegation.

Assembly Bills Nos. 153 and 187, above reported.

Each read first and second times, and referred to the San Francisco delegation.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows:

By Mr. Lewis: Senate Bill No. 312—An Act to amend sections four hundred and fifty-nine and four hundred and sixty-one, and to repeal section four hundred and sixty, of the Penal Code, in relation to burglary.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Bones: Senate Bill No. 313—An Act to amend an Act entitled an Act in relation to certain streets in the Town of Alameda, passed March thirtieth, eighteen hundred and seventy-four.

Read first and second times, and referred to the Alameda delegation.

By Mr. Searls: Senate Bill No. 314—An Act to amend the Code of Civil Procedure, in relation to attachments.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Ream: Senate Bill No. 315—An Act to incorporate the Town of Etna, Siskiyou County, California.

Read first and second times, and, with a petition accompanying the same, referred to the Committee on Corporations.

By Mr. Pierson (by request): Senate Bill No. 316—An Act for the relief of the California Manufacturing Company of San Francisco.

Read first and second times, and, with a memorial accompanying the same, referred to the Committee on Claims.

Also (by request): Senate Bill No. 317—An Act to confirm the title to certain property in the City and County of San Francisco.

Read first and second times, and referred to the Committee on Commerce and Navigation.

By Mr. McGarvey: Senate Bill No. 318—An Act to amend section three hundred and seventy-two of the Code of Civil Procedure.

Read first and second times, and referred to the Judiciary Committee.

Also, Senate Bill No. 319—An Act to provide for the building of bridges across South and Middle Eel Rivers, in Mendocino County.

Read first and second times, and referred to the delegation from Mendocino County, and ordered printed.

By Mr. Haymond: Senate Bill No. 320—An Act to amend the Political Code by adding a new section thereto, to be known as section three thousand three hundred and eighty-eight, in relation to licenses.

Read first and second times, and referred to the Committee on Finance.

Also, Senate Bill No. 321—An Act to amend section six hundred and seventy-one of the Civil Code, in relation to, and to define, bona fide residents.

Read first and second times, and referred to the Judiciary Committee.

Also, Senate Bill No. 322—An Act for the relief of purchasers of State lands.

Read first and second times, and referred to the Committee on Public Lands.

Also, Senate Bill No. 323—An Act for the relief of Add C. Hinkson.

Read first and second times, and referred to the Committee on Finance and Claims.

By Mr. Nunan (by request): Senate Bill No. 324—An Act to authorize the Board of Supervisors to compromise the litigation now pending in regard to water lot number ninety-two.

Read first and second times, and referred to the San Francisco delegation.

By Mr. McCarthy: Senate Bill No. 325—An Act for the relief of Major John Stratman.

Read first and second times, and referred to the Committee on Finance and Claims.

By Mr. Craig: Senate Bill No. 326—An Act to extend the terms of office of the members of the Board of Education, and the Superintendent of Common Schools, of the City and County of San Francisco, hereafter to be elected.

Read first and second times, and referred to the Committee on Education.

MOTIONS AND RESOLUTIONS.

Resolutions were offered, as follows:

By Mr. Shirley—Providing for an allowance to F. J. Bonney, Assistant Journal Clerk, and L. C. Branch, Assistant Minute Clerk, each the sum of forty-eight dollars, for services prior to the tenth of December, eighteen hundred and seventy-seven.

Referred to the Committee on Contingent Expenses.

By Mr. Rogers:

Resolved, That the Controller of State is hereby authorized to issue his warrant to pay Hiram Clock the sum of two dollars and twenty-five cents, out of the Contingent Fund of the Senate, for painting and varnishing the office of the Sergeant-at-Arms of the Senate.

Adopted.

By Mr. Beazell—A resolution authorizing the Secretary of the Senate to appoint an experienced and competent person to make up a weekly report of bills and resolutions to be printed, said appointee to receive a per diem of five dollars.

On motion of Mr. Satterwhite, the resolution was referred to the Committee on Contingent Expenses.

On motion of Mr. Dean, Senate Bill No. 41 was ordered re-printed, with certain amendments.

SPECIAL ORDER—TWELVE O'CLOCK M.

Senate Joint Resolution No. 12—Relating to the Texas Pacific Railroad—was now taken up, and postponed until Monday, the eleventh instant, at the same hour.

GENERAL FILE.

Substitute for Senate Bill No. 33.

Passed on the file.

Senate Bill No. 205—An Act granting relief to taxpayers whose lands have been sold to the State.

Amended.

Amendment proposed by Mr. Satterwhite.

On motion of Mr. Smith, the bill was re-referred to the Judiciary Committee, with pending amendments.

Substitute for Senate Bill No. 8—An Act for the relief of Otto Kloppenberg—was ordered at the head of the General File for Tuesday next.

Assembly Bill No 274.

Passed on file.

Senate Bill No. 171—An Act to add a new section to the Civil Code, to be known as section number five hundred and fifty-three.

Withdrawn by Mr. Hilborn, the author of the bill, and by general consent.

Assembly Bill No. 39—An Act concerning fees of jurors in the County of Humboldt.

Indefinitely postponed, on motion of Mr. McGarvey.

Assembly Bill No. 133—An Act to amend section two thousand eight hundred and seventy-two of the Civil Code.

Read third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Evans, Hilborn, and Murphy of San Francisco, and it passed by a vote, as follows:

AYES—Messrs. Bones, Boyston, Coleman, Craig, Crane, Curtis, Dean, Gwin, Haymond, Hilborn, Howe, Lewis, McGarvey, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Nunan, Pierson, Ream, Satterwhite, Searls, Shirley, Smith, and Whitney—24.

NOES—Messrs. Beazell, Brown of Amador, Evans, Goodwin, Lambert, and Rogers—6.

Assembly Bill No. 150—An Act to amend section one thousand nine hundred and seventeen of the Civil Code.

Read third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Satterwhite, Pierson, and Haymond, and it passed by a vote, as follows:

AYES—Messrs. Bones, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Evans, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, Montgomery, Nunan, Pierson, Ream, Rogers, and Shirley—26.

NOES—Messrs. McGarvey, Murphy of Santa Clara, Satterwhite, Searls, and Smith—5.

ASSEMBLY MESSAGE.

On motion of Mr. Pierson, the following Assembly message was taken up:

ASSEMBLY CHAMBER.
SACRAMENTO, February 9th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 395—An Act concerning special elections, and ordered the same transmitted without engrossment.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 395, above reported.

Read first and second times.

On motion of Mr. Pierson, the rules were suspended, and the bill taken up for consideration.

Placed on the third reading and passage.

By unanimous consent read third time, and passed.

GENERAL FILE RESUMED.

Senate Bill No. 170—An Act to amend section eight hundred and eighty-three of the Code of Civil Procedure.

On the engrossment of the bill, the ayes and noes were demanded by Messrs. Lambert, Haymond, and McGarvey, and it was ordered to engrossment by a vote, as follows:

AYES—Messrs. Beazell, Bones, Brown of Amador, Brown of El Dorado, Coleman, Crane, Curtis, Dean, Donovan, Evans, Gwin, Hilborn, Hill, Howe, Lewis, McCarthy, McGarvey, Murphy of Santa Clara, Nunan, Pierson, Satterwhite, Searls, Shirley, and Whitney—24.

NOES—Messrs. Boyston, Haymond, Lambert, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Ream, Rogers, and Smith—9.

Substitute for Senate Bill No. 51—An Act to foster home industries in the publication of text-books and to maintain the good faith of the State by reëstablishing the contract heretofore entered into by and between A. L. Bancroft & Co. and the State Board of Education of the State of California.

Mr. Lewis offered, as special instructions, a substitute, moving its reference to Senator Pierson, the author of the bill, with instructions that he report the same immediately as a substitute for the bill.

[Mr. Rogers in the chair.]

Mr. Murphy of Santa Clara offered an amendment to the substitute offered by Mr. Lewis, as special instructions, which was received, and read to the Senate.

Mr. Smith offered an amendment to the amendment of special instructions offered by Mr. Murphy.

Mr. Lewis raised a point of order, that the only question properly before the Senate was the special instructions offered by him, and the amendments now proposed were not in order.

The Chair ruled that the special instructions were open to amendment.

Mr. Lewis appealed from the decision of the Chair.

Upon the question, "Shall the decision of the Chair stand as the judgment of the Senate?" the ruling of the Chair was sustained.

Mr. Murphy of Santa Clara moved that the bill, with all the amendments proposed, should be printed, and the whole subject be made a special order for Wednesday next, at twelve o'clock M.

On which the ayes and noes were demanded by Messrs. Lewis, Murphy of San Luis Obispo, and Searls, and the roll was called, resulting as follows:

AYES—Messrs. Bones, Brown of Amador, Brown of El Dorado, Crane, Hill, Lewis, Murphy of San Luis Obispo, Murphy of Santa Clara, Ream, Searls, and Whitney—11.

NOES—Messrs. Craig, Curtis, Donovan, Evans, Goodwin, Hilborn, Lambert, Montgomery, Rogers, Satterwhite, and Smith—11.

A majority failing to vote in the affirmative, the motion was lost.

Mr. Murphy made a similar motion, setting Thursday next, the fourteenth instant, at twelve o'clock M.

The ayes and noes were demanded by the requisite number, and it was so ordered by a vote, as follows:

AYES—Messrs. Bones, Brown of Amador, Brown of El Dorado, Craig, Crane, Curtis, Dean, Donovan, Evans, Goodwin, Haymond, Hilborn, Hill, Lambert, Montgomery, Murphy of Santa Clara, Pierson, Satterwhite, Searls, Smith, and Whitney—21.

NOES—Messrs. Lewis, Murphy of San Luis Obispo, Ream, and Rogers—4.

Mr. McCarthy submitted a report, as follows:

SENATE CHAMBER.

SACRAMENTO, February 9th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 139—An Act entitled an Act to amend an Act concerning Agricultural Societies, approved March twelfth, eighteen hundred and fifty-nine.

Also, Senate Bill No. 106—An Act to repeal an Act entitled an Act restricting the herding of sheep to certain pastures in the Counties of Sonoma and Marin, and all Acts amendatory thereof, so far as they relate to the Counties of Mendocino and Humboldt.

Also, Senate Bill No. 68—An Act to amend an Act in relation to the care of orphan and abandoned children, approved March seventh, eighteen hundred and seventy-four.

Also, Senate Bill No. 145—An Act to pay the claim of the County of Sacramento.

Also, Senate Bill No. 130—An Act to extend the time for the construction of a raceway through the City of Placerville.

Also, Senate Bill No. 139—An Act to amend section six of an Act entitled an Act to re-incorporate the Town of Woodland, approved March twenty-fourth, eighteen hundred and seventy-four.

And this day, at one o'clock and twenty minutes P. M., presented the same to the Governor.

MC CARTHY, Chairman.

On motion of Mr. Donovan, the Committee on Public Buildings was granted indefinite leave of absence.

ASSEMBLY MESSAGE.

On motion of Mr. Goodwin, the following Assembly message was taken up:

ASSEMBLY CHAMBER.

SACRAMENTO, February 9th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the ninth day of February, A. D. eighteen hundred and seventy-eight, passed Senate Bill No. 61—An Act to incorporate the town of Alameda, with amendments.

CARPENTER, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Senate Bill No. 61, above reported.

The Assembly amendments to the bill concurred in.

On motion of Mr. Craig, the rules were suspended, and Senate Bill No. 46—An Act to prevent adulteration of milk, and to establish the office of Milk Inspector in and for the City and County of San Francisco—was taken from the general file and made a special order for Monday, the eighteenth instant, at twelve o'clock M.

On motion of Mr. Pierson, Senate Bill No. 35—reported correctly engrossed to-day—was ordered transmitted to the Assembly forthwith.

Mr. Murphy of San Luis Obispo (by leave) presented a petition from the citizens of San Luis Obispo County, praying that that county be exempt from the provisions of an Act deferring the delinquency of taxes to July, eighteen hundred and seventy-eight.

Received, and referred to the Committee on Finance.

ADJOURNMENT.

At three o'clock and twenty-five minutes P. M., on motion of Mr. Satterwhite, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
MONDAY, February 11th, 1878. }

The Senate met pursuant to adjournment.

President pro tem. in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Crane, Evans, Gwin, Howe, Lambert, Lewis, Murphy of San Francisco, Murphy of San Luis Obispo, Pierson, Rogers, Satterwhite, Searls, and Shirley.

No quorum present.

CALL OF THE SENATE.

Mr. Pierson moved a call of the Senate.

Carried.

ABSENTEES.

Messrs. Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Curtis, Haymond, Hilborn, Hill, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of Santa Clara, Ream, and Smith, were found absent without leave of the Senate.

Messrs. Smith, Brown of Amador, McCarthy, Haymond, Coleman, Murphy of Santa Clara, and Hill, appeared and offered excuses for not being present at roll call, and were excused.

Mr. McCarthy moved to dispense with further proceedings under the call.

Lost.

[Mr. Murphy of San Francisco in the chair.]

The Chair directed a call of the roll of the Senate, and the following Senators answered to their names:

Messrs. Beazell, Brown of Amador, Coleman, Crane, Evans, Gwin, Haymond, Hill, Howe, Lambert, Lewis, McCarthy, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Pierson, Rogers, Satterwhite, Searls, Shirley, and Smith.

Quorum present.

On motion of Mr. Pierson, further proceedings under the call of the Senate were dispensed with.

RECESS.

At twelve o'clock M., Mr. McCarthy moved that the Senate take a recess until one o'clock P. M.

Carried.

RE-ASSEMBLED—ONE O'CLOCK P. M.

Senate re-assembled.

President pro tem. in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Beazell, Boyston, Brown of Amador, Coleman, Crane, Evans, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McGarvey, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Pierson, Rogers, Satterwhite, Searls, Shirley, and Smith.

Quorum present.

Reading of the Journal of Saturday last was dispensed with, and the same approved, on motion of Mr. Murphy of San Francisco.

LEAVE OF ABSENCE.

Mr. Norton was granted indefinite leave of absence, Mr. Ream for two days, and Messrs. Montgomery and Brown of El Dorado for one day each.

REPORTS.

Reports were submitted, as follows:

By Mr. Searls:

MR. PRESIDENT: The Nevada delegation, to whom was referred Senate Bill No. 238—An Act to amend an Act entitled an Act to incorporate the City of Nevada—have had the same under consideration, report said bill back, and recommend its passage.

Also, report that they have investigated Assembly Bill No. 357—and report the same back, and recommend its passage.

NILES SEARLS,
JOHN C. COLEMAN.

By Mr. Coleman:

MR. PRESIDENT: The Nevada delegation, to whom was referred Senate Bill No. 288—An Act to amend an Act entitled an Act to provide for the location, construction, and maintenance of public roads in the County of Nevada, approved March twenty-first, eighteen hundred and seventy-two—and recommend its passage.

JOHN C. COLEMAN,
NILES SEARLS.

By Mr. Brown of Amador:

MR. PRESIDENT: The Amador delegation having under consideration Assembly Bill No. 273—To change the name of a town in Amador County—report it back, and recommend its passage.

F. M. BROWN.

ASSEMBLY MESSAGES.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, February 9th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the eighth day of February, A. D. eighteen hundred and seventy-eight, passed Substitute for Senate Bills Nos. 90, 173, and 175—An Act supplementary to an Act entitled an Act to provide for the completion of the building in the City and County of San Francisco, known as the new City Hall, approved March twenty-fourth, eighteen hundred and seventy-six.

Also, passed Assembly Bill No. 207—An Act concerning trespass of animals upon private lands in certain counties in the State of California.

Also, Senate Bill No. 237—An Act to protect agriculture, and to provide for the distraining of trespassing of animals in the County of Los Angeles.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, February 9th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 329—An Act to amend an Act to establish and maintain a training ship in the City and County of San Francisco, approved February fifteenth, eighteen hundred and seventy-six—and ordered the same transmitted without engrossment.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bills Nos. 207 and 237, above reported.

Each read first and second times, and referred to the Judiciary Committee.

Assembly Bill No. 329, above reported.

Read first and second times, and referred to the San Francisco delegation.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows:

By Mr. Lambert: Senate Bill No. 327—An Act to amend section one thousand eight hundred and eighty of the Code of Civil Procedure, relating to witnesses.

By Mr. Pierson: Senate Bill No. 328—An Act to repeal section four hundred of the Code of Civil Procedure.

By Mr. Murphy of Santa Clara: Senate Bill No. 329—An Act to add a new section to the Penal Code, to be known as section one hundred and seventy-eight, in relation to obtaining divorces.

Each of the above bills read first and second times, and referred to the Judiciary Committee.

By Mr. Coleman: Senate Bill No. 330—An Act amendatory to an Act entitled an Act to amend an Act entitled an Act to revise and amend an Act entitled an Act to incorporate the Town of Grass Valley, approved April fifteenth, eighteen hundred and sixty-one, approved February sixth, eighteen hundred and sixty-four, approved March twenty-fourth, eighteen hundred and sixty-six.

Read first and second times, and referred to the Nevada delegation.

By Mr. Smith, the following bills (by request): Senate Bill No. 331—An Act to authorize the corporation of the City of Los Angeles to issue bonds for improving the water supply of said city, and provide for their payment.

Also, Senate Bill No. 332—An Act legalizing the assessment book, and delinquent list, in Los Angeles County.

Each of the above bills read first and second times, and referred to the delegation from Los Angeles County.

Also, Senate Bill No. 333—An Act to amend sections three thousand seven hundred and fifty-seven, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety, three thousand seven hundred and ninety-seven, of the Political Code.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Pierson: Senate Bill No. 334—An Act to appropriate twenty-five thousand dollars, to be used conjointly with a like sum

of twenty-five thousand dollars, donated by H. D. Bacon, for the construction of a building, to be erected on the State University grounds, in Alameda County, for a library and art gallery.

Read first and second times, and referred to the Committee on Finance.

By Mr. McGarvey: Senate Bill No. 335—An Act to amend section one hundred and seventy-seven of the Code of Civil Procedure.

Also, Senate Bill No. 336—An Act to amend section one thousand seven hundred and nine of the Code of Civil Procedure.

Each of the above bills read first and second times, and referred to the Judiciary Committee.

By Mr. Gwin: Senate Bill No. 337—An Act to provide for the collection of road poll tax in the County of Calaveras.

Read first and second times, and referred to the Committee on Roads and Highways.

By Mr. Smith (by request): Joint Resolution No. 34—In reference to vine culture.

Read first and second times, and referred to the Committee on Federal Relations.

By Mr. Evans: Joint Resolution No. 35—In reference to appropriations for arming and equipping the militia.

Read first and second times, and referred to the Committee on Military Affairs.

MOTIONS AND RESOLUTIONS.

Mr. Shirley offered a resolution, as follows:

Resolved, That Senator Evans be and is hereby appointed a member of the State Prison and Prison Building Committee, in the place of Senator W. Z. Angney, deceased.

Adopted.

SPECIAL ORDER

Set for twelve o'clock M., was now taken up.

Senate Joint Resolution No. 12—Relating to the Texas Pacific Railroad.

The question being upon the engrossment of the resolution, the ayes and noes were demanded by Messrs. Searls, Brown, and Murphy of San Francisco, and the Senate refused to engross the resolution by a vote, as follows:

AYES—Messrs. Boyston, Howe, McCarthy, McGarvey, Satterwhite, and Smith—6.

NOES—Messrs. Beazell, Brown of Amador, Coleman, Evans, Gwin, Haymond, Hilborn, Hill, Lambert, Lewis, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Pierson, Rogers, Searls, and Shirley—17.

On motion of Mr. Beazell, the rules were suspended, and Assembly Bill No. 191 was taken from the general file, and referred to the Judiciary Committee.

Mr. Evans offered a resolution (by leave), as follows:

Resolved, That S. S. Ford, Assistant Sergeant-at-Arms of the Senate, be allowed fourteen dollars for services in arresting Senators Brown of Amador, Murphy of Santa Clara, Coleman, Haymond, Hill, McCarthy, and Smith, on the call of the Senate had this day, payable out of the appropriation for the contingent expenses of the Senate.

On motion of Mr. Murphy of San Francisco, the resolution was referred to the Committee on Contingent Expenses.

Mr. Rogers, Chairman of the Committee on Contingent Expenses, by leave, verbally reported a resolution, amended to read as follows, recommending its passage:

Resolved, That F. J. Bonney and L. C. Branch be and they are hereby allowed the sum of thirty dollars each for five days' services as Assistant Journal and Assistant Minute Clerk, from December third to December tenth inclusive, payable out of the appropriation for the contingent expenses of the Senate.

Rules suspended, and the resolution adopted.

GENERAL FILE.

Substitute for Senate Bill No. 33, passed on file.

Assembly Bill No. 274—An Act to provide a new Great Register for the County of Fresno, and re-register the voters thereof.

On motion of Mr. Lambert, the bill was referred to the Judiciary Committee.

Assembly Bill No. 144—An Act concerning salaries and fees of office of certain county and township officers of the County of San Bernardino.

Read third time, and passed.

Assembly Bill No. 102—An Act to authorize the Board of Supervisors to pay the claim of Abner D. Sevier, ex-Sheriff of Humboldt County.

The Senate refused to recede from its amendments to the bill.

On motion of Mr. McGarvey, a committee of free conference was ordered, and the Chair appointed Messrs. McGarvey, Lambert, and Evans, said committee on the part of the Senate.

Senate Bill No. 258—An Act to add another section to the Civil Code, to be numbered one thousand and twenty.

On motion of Mr. Pierson, the bill was indefinitely postponed.

Senate Bill No. 260—An Act to amend certain sections numbers one thousand three hundred and fifty, one thousand three hundred and sixty-five, one thousand three hundred and sixty-eight, one thousand three hundred and sixty-nine, and one thousand three hundred and seventy-nine of the Code of Civil Procedure.

On motion of Mr. Smith, the bill was re-referred to the Judiciary Committee.

Substitute for Senate Bill No. 212—An Act to amend sections two thousand five hundred and twenty-seven and two thousand five hundred and thirty-six of the Political Code, concerning the construction of the sea-wall of San Francisco.

Substitute adopted.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 82—An Act concerning the water front of the City and County of San Francisco.

Reported from the Committee of the Whole, with a request to further consider the bill.

So ordered, and the bill was continued on the general file.

The Chair presented the following communication:

ASSEMBLY CHAMBER, STATE OF CALIFORNIA,
SACRAMENTO, February 11th, 1878. }

Hon. Jas. A. Johnson, President of the Senate:

DEAR SIR: The Assembly having, by resolution, invited the Hon. Wm. Hammond Hall to deliver a lecture before that body, on the subject of irrigation, on Wednesday, February thir-

teenth, eighteen hundred and seventy-eight, I desire respectfully, through you, to invite the Senate as a body to attend said lecture.

Respectfully,

C. P. BERRY, Speaker of the Assembly.

ADJOURNMENT.

At three o'clock and twenty-seven minutes P. M., on motion of Mr. McCarthy, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
TUESDAY, February 12th, 1878. }

The Senate met pursuant to adjournment.

President pro tem. in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Crane, Curtis, Evans, Gwin, Hayn, and Hilborn, Hill, Howe, Lambert, Lewis, McChapin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Pierson, Rogers, Satterwhite, Searls, Shirley, and Smith.

Quorum present.

Reading of the Journal of yesterday dispensed with, on motion of Mr. Hilborn. Same approved.

GOVERNOR'S MESSAGE.

The following message was received from the Governor:

To the Senate and Assembly of the State of California:

I have the honor to transmit herewith to your honorable bodies a communication from the Hon. S. C. Hastings, a prominent and respected citizen of this State. As will appear from a perusal of the communication, Mr. Hastings desires to donate from his own private fortune, one hundred thousand dollars to found and maintain a college of the law, and asks that the State may become a trustee to execute the trust that will be created by his gift on the terms set forth in the communication.

WILLIAM IRWIN, Governor.

Mr. Pierson moved that the message of the Governor, and communication from Mr. Hastings, be printed, and the same referred to the Judiciary Committee, with instructions to prepare a bill to embody the object of the proposed gift by Mr. Hastings, to found a law college.

Agreed to.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows:

By Mr. Boyston: Senate Bill No. 338—An Act to establish and open Montgomery Street South, in the City and County of San Francisco, and take private lands therefor.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Brown of Amador: Senate Bill No. 339—An Act to amend an Act entitled an Act to create a Board of Auditors for El Dorado County, and fix the powers thereof, approved March thirteenth, eighteen hundred and seventy-four, and the Act amendatory thereof, approved April first, eighteen hundred and seventy-six.

Read first and second times, and referred to the delegation from Amador County.

MOTIONS AND RESOLUTIONS.

Mr. Hilborn offered a resolution, as follows:

Resolved, That Senators B. D. Murphy, Beazell, and Shirley be added to the Committee on Fisheries and Game.

Adopted.

GENERAL FILE.

Substitute for Senate Bill No. 33.

Passed on file.

Senate Bill No. 82—An Act concerning the water front of the City and County of San Francisco.

Amendments adopted, as in Committee of the Whole, concurred in.

Mr. Murphy of San Francisco moved to amend section four by striking out all in reference to China and Central Basins, on which the ayes and noes were demanded by Messrs. Murphy of San Francisco, Howe, and Boyston, and the Senate refused to adopt the amendment by a vote, as follows:

AYES—Messrs. Boyston, Crane, Lambert, Lewis, Murphy of San Francisco, and Murphy of Santa Clara—6.

NOES—Messrs. Brown of Amador, Brown of El Dorado, Coleman, Curtis, Evans, Gwin, Haymond, Hilborn, Hill, Howe, McCoppin, McGarvey, Montgomery, Murphy of San Luis Obispo, Pierson, Rogers, Satterwhite, Searls, Shirley, and Smith—20.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Bill No. 287—An Act to amend section one hundred and ninety-nine of the Political Code, concerning the legal distances of this State.

Read third time, and passed.

Senate Bill No. 10—An Act to amend certain sections and to repeal certain sections of the Political Code, approved March twelfth, eighteen hundred and seventy-two, concerning the salaries of the civil executive officers of the State.

On motion of Mr. Haymond, the bill was made a special order for Friday next, at two o'clock P. M.

Senate Bill No. 60—An Act to provide for the payment of certain coupons upon the bonds issued by the Central Pacific Railroad Company and known as State Aid Bonds.

Rules suspended, considered engrossed, read third time, and passed.

[Mr. Murphy of Santa Clara in the chair.]

Senate Bill No. 64—An Act to amend section six hundred and sixty-six of the Political Code.

On the question of engrossment, the ayes and noes were demanded by Messrs. Pierson, McCoppin, and Hill, and the Senate refused to engross the bill by a vote, as follows:

AYES—Messrs. Brown of Amador, Brown of El Dorado, Evans, Haymond, Hill, Howe, Lewis, McGarvey, Montgomery, Murphy of Santa Clara, and Pierson—11.

NOES—Messrs. Beazell, Boyston, Coleman, Crane, Curtis, Gwin, Hilborn, Lambert, McCoppin, Murphy of San Luis Obispo, Rogers, Satterwhite, Searls, and Shirley—14.

Senate Bill No. 144—An Act for the relief of Wells, Fargo & Co.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 31—An Act to amend section one thousand five hundred and seventy-six of the Political Code.

Read third time, and passed.

Senate Bill No. 263—An Act to provide for the appointment of a Reporter of the decisions of the Supreme Court.

Amendment adopted.

Mr. Lewis moved to suspend the rules, to consider the bill engrossed, and place it upon its final passage, on which the ayes and noes were demanded by Messrs. McGarvey, Hill, and Searls, and the motion prevailed by a vote, as follows:

AYES—Messrs. Beazell, Boyston, Coleman, Gwin, Howe, Lambert, Lewis, McCarthy, McCoppin, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Pierson, Satterwhite, Searls, and Shirley—17.

NOES—Messrs. Brown of Amador, Crane, Curtis, Dean, Evans, Hilborn, Hill, and McGarvey—8.

Read third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Evans, Haymond, and Howe, and it passed by a vote, as follows:

AYES—Messrs. Beazell, Boyston, Coleman, Gwin, Howe, Lambert, Lewis, McCarthy, McCoppin, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Pierson, Satterwhite, Searls, and Shirley—17.

NOES—Messrs. Brown of Amador, Crane, Curtis, Dean, Evans, Haymond, Hilborn, Hill, and McGarvey—9.

Mr. Howe submitted a report, as follows:

SENATE CHAMBER.

SACRAMENTO, February 12th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Substitute for Senate Bill No. 61—An Act to incorporate the Town of Alameda.

Also, Senate Bill No. 170—An Act to amend section eight hundred and eighty-three of the Code of Civil Procedure.

ROBT. HOWE, for the Committee.

Senate Bill No. 255—An Act to amend an Act entitled an Act to re-incorporate the City of Stockton, approved March twenty-seventh, eighteen hundred and seventy-two.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 20—An Act to amend section five hundred and seventy-four of the Civil Code.

Indefinitely postponed.

Senate Bills Nos. 100 and 97.

Each passed on file.

Assembly Bill No. 293—An Act authorizing the Board of Supervisors of the County of Colusa to approve official bonds of county and township officers of said county.

Read third time, and passed.

Senate Bill No. 268—An Act to amend section two of an Act entitled an Act to create a City Criminal Court in and for the City and

County of San Francisco, approved April eighth, eighteen hundred and seventy-six.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 273—An Act to legalize the assessment of taxes in the City and County of San Francisco, and to ratify and confirm a resolution of the Board of Supervisors of the City and County of San Francisco.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 286—An Act granting certain privileges to the North Beach and Mission Railroad Company.

Rules suspended, considered engrossed, read third time, and passed.

RECESS.

At one o'clock and fifteen minutes p. m., on motion of Mr. Satterwhite, the Senate took a recess for one hour.

RE-ASSEMBLED.

Two o'clock and fifteen minutes p. m., the Senate re-assembled.

President pro tem. in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Boyston, Brown of El Dorado, Coleman, Crane, Curtis, Dean, Evans, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Numan, Pierson, Rogers, Searls, Shirley, and Smith.

Quorum present.

GENERAL FILE RESUMED.

Senate Bill No. 280—An Act to confer additional powers upon, and to authorize certain appropriations of money by, the Board of Supervisors of the City and County of San Francisco.

Amendments adopted.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Bill No. 56—An Act to legalize and enforce the collection of a district school tax, and to render lawful the acts of the Board of Trustees of North Butte School District, pursuant to an election held therein.

Read third time, and passed.

Senate Bill No. 197—An Act to amend section one thousand seven hundred and twelve of the Political Code.

Read third time, and passed.

Senate Bill No. 180—An Act for the relief of John Hoagland and others.

Read third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Smith, Haymond, and Lambert, and it passed by a vote, as follows:

AYES—MESSRS. Brown of El Dorado, Crane, Evans, Haymond, Hilborn, Howe, Lambert, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, and Satterwhite—15.

NOES—MESSRS. Beazell, Brown of Amador, Coleman, Dean, Gwin, Hill, Lewis, Numan, Pierson, Rogers, Searls, Shirley, and Smith—13.

[Mr. Murphy of Santa Clara in the chair.]

Senate Bill No. 73—An Act to amend certain sections of the Political Code, and to repeal other sections of same Code, relating to public schools.

Mr. Pierson moved to indefinitely postpone the bill.

On which the ayes and noes were demanded by Messrs. McGarvey, Haymond, and Searls, and the Senate refused by a vote, as follows:

AYES—Messrs. Brown of Amador, Crane, Evans, Gwin, Hilborn, Howe, Lewis, McCarthy, Murphy of San Francisco, Murphy of Santa Clara, Pierson, Rogers, and Shirley—13.

NOES—Messrs. Brown of El Dorado, Coleman, Curtis, Dean, Haymond, Hill, Lambert, McCoppin, McGarvey, Montgomery, Murphy of San Luis Obispo, Nunan, Satterwhite, Searls, and Smith—15.

Read third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Lewis, McGarvey, and Searls, and it passed by a vote, as follows:

AYES—Messrs. Brown of El Dorado, Coleman, Curtis, Dean, Gwin, Haymond, Hill, Lambert, Lewis, McCoppin, McGarvey, Montgomery, Murphy of San Luis Obispo, Nunan, Satterwhite, Searls, and Smith—17.

NOES—Messrs. Crane, Evans, Hilborn, Howe, McCarthy, Murphy of San Francisco, Murphy of Santa Clara, Pierson, and Shirley—9.

Mr. Lewis gave notice that on to-morrow he would move to reconsider the vote by which the bill passed.

Mr. Murphy of San Luis Obispo gave notice that on to-morrow he would move to reconsider the vote by which Senate Bill No. 180 passed to-day.

Mr. McCarthy submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, February 12th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 261—An Act making an appropriation to pay the expenses of Presidential Electors.

Also, Substitute for Senate Bills Nos. 90, 173 and 175—An Act supplementary to an Act entitled an Act to provide for the completion of the building, in the City and County of San Francisco, known as the new City Hall, approved March twenty-fourth, eighteen hundred and seventy-six.

Also, Senate Bill No. 93—An Act to authorize the Board of State Harbor Commissioners to pay the claim of Sheldon and Graves.

Also, Senate Bill No. 192—An Act to amend an Act entitled an Act to prevent hogs and goats running at large on certain lands in this State, approved March thirty-first, eighteen hundred and seventy-six.

Also, Senate Bill No. 146—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Mayor, Auditor, and Treasurer thereof, and to authorize certain appropriations of money by said Board.

And this day, at three o'clock and fifteen minutes P. M., presented the same to the Governor.

McCARTHY, Chairman.

Mr. Nunan submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, February 12th, 1878. }

MR. PRESIDENT: The San Francisco delegation, to whom was referred Senate Bill No. 104—An Act to confer additional power upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor, Treasurer, and Superintendent of Public Streets, Highways, and Squares thereof, and to authorize an appropriation of money by said Board, as amended by the Assembly—have had the same under consideration, report it back, and recommend that the Senate do not concur in the amendment.

EDWARD NUNAN, Chairman.

The rules were suspended, and the report considered, and, on motion of Mr. Rogers, adopted, and a committee of free conference was ordered.

The Chair appointed Messrs. Rogers, Murphy of San Francisco, and Dean, said committee on the part of the Senate.

Mr. Pierson introduced a resolution, as follows:

Resolved by the Senate, the Assembly concurring, That the Secretary of State be authorized and directed to furnish the Superintendent of State Printing copies of all Acts passed by the Legislature and signed by the Governor, immediately after their passage; and the Superintendent of State Printing is authorized and directed to have the same printed in the usual form; and in addition to the usual number required by law for the statutes, he shall furnish the Senate and Assembly with two hundred and forty copies of each form, in the order in which they are printed.

Adopted.

At four o'clock and seven minutes P. M., Mr. Brown of El Dorado moved to adjourn.

Lost.

GENERAL FILE RESUMED.

Senate Substitute for Assembly Bill No. 41—An Act to fix the terms of the County and Probate Courts in and for the County of Lake.

Rules suspended, read third time, and passed.

Title amended.

Senate Bill No. 185—An Act for the relief of George C. Knox.

Amendment adopted.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 278—An Act to amend section nine hundred of the Penal Code, relating to challenges of individual grand jurors.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 279—An Act to amend section three hundred and fifty-seven of the Penal Code.

Mr. Haymond moved to refer the bill to the Judiciary Committee.

On which the ayes and noes were demanded by the requisite number, and it was so referred, by the following vote:

AYES—Messrs. Beazell, Coleman, Dean, Evans, Gwin, Haymond, Hill, McCoppin, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Pierson, Searls, and Smith—15.

NOES—Messrs. Curtis, Howe, Lambert, Lewis, McCarthy, McGarvey, Nunan, and Shirley—8.

ADJOURNMENT.

At four o'clock and fifty-five minutes P. M., on motion of Mr. Curtis, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
WEDNESDAY, February 13th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Crane, Curtis, Dean, Evans, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Rogers, Satterwhite, Searls, Shirley, and Smith.

Quorum present.

The reading of the Journal of yesterday dispensed with, on motion of Mr. Haymond. Same approved.

REPORTS.

Reports were submitted, as follows :

By Mr. Howe :

MR. PRESIDENT : The Committee on Commerce and Navigation have considered Senate Bill No. 86—An Act to declare Clear Lake, in Lake County, navigable—report the same to the Senate, and recommend its passage.

ROBERT HOWE, Chairman.

By Mr. Hill :

MR. PRESIDENT : The Committee on Agriculture, to whom was referred Senate Bill No. 293—An Act to amend Chapter Two, Article Six, Title Fourteen, of the Civil Code—have had the same under consideration, and herewith report the bill back with amendments, recommend the adoption of the amendments, and the passage of the bill as amended.

Also, Senate Bill No. 109—An Act to amend the Civil Code, concerning the mortgage of growing crops—and herewith report the same back, with a recommendation the bill do not pass, the object of the bill being the same as provided in Senate Bill No. 293.

HILL, Chairman.

By Mr. Murphy of San Luis Obispo :

MR. PRESIDENT : The Committee on Roads and Highways, to whom was referred Senate Bill No. 209—An Act to provide for the maintenance and construction of roads and highways in the County of Mariposa—have had the same under consideration, and herewith report the bill back with a substitute, and respectfully recommend the adoption of the substitute.

P. W. MURPHY, Chairman.

Mr. Smith, for the delegation, verbally reported, recommending its passage, Senate Bill No. 332—An Act legalizing the assessment book and delinquent list in Los Angeles County.

Mr. Murphy of San Luis Obispo, for the delegation, verbally reported, recommending its passage, Assembly Bill No. 250—An Act to repeal an Act entitled an Act to create a special road district in the County of Santa Barbara, and to provide a road fund for said district, approved March twenty-seventh, eighteen hundred and seventy-six.

By Mr. Nunan :

MR. PRESIDENT : The San Francisco delegation, to whom was referred Assembly Bill No. 329—An Act to amend an Act entitled an Act to establish and maintain a Training Ship in the City and County of San Francisco, approved February fifteenth, eighteen hundred and seventy-six—have had the same under consideration, report it back, and recommend its reference to the Committee on Finance.

Also, Senate Bill No. 269—An Act to ratify and confirm order number one thousand four hundred and four of the Board of Supervisors of the City and County of San Francisco—have had the same under consideration, report it back, and recommend its passage as amended.

E. NUNAN, Chairman.

Assembly Bill No. 329, above reported, was so referred.

By Mr. McCoppin :

MR. PRESIDENT: The undersigned, a member of the committee appointed by the Senate, at the close of the last session, to examine into and report upon the actual condition of the Chinese in California, and the effects of their presence upon the white population, respectfully submits the accompanying testimony, taken in San Francisco, and ask that it be published. * *

McCOPPIN, of the Committee.

On motion of Mr. McCoppin, five hundred copies of the testimony and report were ordered printed.

GOVERNOR'S MESSAGES.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,)
SACRAMENTO, February 12th, 1878. }

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bills No. 67—An Act to add another section to the Civil Code.

No. 71—An Act to ratify and confirm an ordinance of the City of Oakland, entitled an ordinance abandoning certain streets in East Oakland, approved May twentieth, eighteen hundred and seventy-six.

No. 103—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor, Treasurer, and Superintendent of Public Streets, Highways, and Squares thereof, and to authorize an appropriation of money by said Board.

No. 128—An Act to authorize the District Attorney of the City and County of San Francisco to appoint a second District Attorney.

No. 168—An Act declaring Sonoma River, in Sonoma County, navigable.

WILLIAM IRWIN, Governor.

To the Senate of the State of California:

I herewith respectfully return to your honorable body Senate Bill No. 45—entitled an Act to amend an Act entitled an Act authorizing the Trustees of the San Buenaventura School District, of the County of Santa Barbara, in this State, to issue bonds for said district for the sum of ten thousand dollars—without my approval.

The bill provides for the equalization of the assessment of the property in a school district, for district purposes, by the Board of Supervisors of the county, and is therefore, in my judgment, in conflict with Section Thirteen, Article Eleven, of the Constitution.

The author of the bill having had his attention called to this feature of it, has advised that it be returned that a new one, free from this objection, may be passed.

WILLIAM IRWIN, Governor.

On motion of Mr. Murphy of Santa Clara, the message, with the bill returned without the approval of the Governor, was referred to the Judiciary Committee.

Committee to report the same to-morrow.

ASSEMBLY MESSAGE.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, February 12th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the ninth day of February, A. D. eighteen hundred and seventy-eight, passed Assembly Joint Resolution No. 40—Relative to establishing a mail route from Reno, in the State of Nevada, to Chico, in California.

And that the Speaker, this day, appointed, as committee on conference on part of Assembly, on Assembly Bill No. 102, Messrs. Murphy of Del Norte, Long, and Russ.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Joint Resolution No. 40, above reported.

Read first and second times, and referred to the Committee on Federal Relations.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows:

By Mr. Pierson: Senate Bill No. 340—An Act to repeal section two hundred and ninety-nine of the Civil Code.

By Mr. Curtis: Senate Bill No. 341—An Act to amend section two hundred and ninety-three of the Civil Code.

Each of the above bills read first and second times, and referred to the Committee on Corporations.

By Mr. Shirley: Senate Bill No. 342—An Act to legalize a tax for building a school house, in the New York School District, in Contra Costa County.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Hilborn: Senate Bill No. 343—An Act to fund certain indebtedness of Solano County.

Read first and second times, and referred to the delegation from Solano County, and ordered printed.

By Mr. Murphy of San Luis Obispo: Senate Bill No. 344—An Act to amend an Act entitled an Act authorizing the Trustees of San Buenaventura School District, Ventura County, to issue bonds for said district for the sum of ten thousand dollars, approved March sixteenth, eighteen hundred and seventy-two.

Read first and second times, and referred to the Committee on Education.

By Mr. Brown of El Dorado: Senate Bill No. 345—An Act to repeal an Act to protect agriculture in the County of El Dorado, approved March twentieth, eighteen hundred and seventy-six.

Read first and second times, and referred to the delegation from El Dorado County.

By Mr. Nunan: Senate Bill No. 346—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board.

Also, Senate Bill No. 347—An Act amending section four of an Act entitled an Act repealing article four of an Act entitled an Act to repeal the several charters of the City and County of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved April nineteenth, eighteen hundred and fifty-five, and all Acts and parts of Acts amendatory thereof and supplementary thereto, and substituting this Act for said article four, approved April first, eighteen hundred and seventy-two.

By Mr. McCoppin: Senate Bill No. 348—An Act to confer additional powers on the Board of Supervisors of the City and County of San Francisco.

Each of the above bills read first and second times, and referred to the San Francisco delegation.

MOTIONS AND RESOLUTIONS.

Mr. Murphy of San Luis Obispo, in accordance with previous notice, moved to reconsider the vote by which the Senate, on yesterday, passed Senate Bill No. 180—An Act for the relief of John Hoagland and others.

The vote was reconsidered.

On motion of Mr. Haymond, the bill was referred to Mr. McGarvey, Chairman of the Judiciary Committee, with special instructions, which he submitted as an amendment to the bill.

Mr. McGarvey verbally reported the bill, with the special instructions, which were adopted.

Mr. Pierson moved to reconsider the vote by which the bill was considered engrossed.

On which the ayes and noes were demanded by Messrs. Haymond, Lambert, and Murphy of San Luis Obispo, and the motion prevailed by a vote, as follows:

AYES—Messrs. Benzell, Brown of Amador, Coleman, Crane, Dean, Evans, Gwin, Hill, Howe, Lewis, Murphy of San Luis Obispo, Murphy of Santa Clara, Numan, Pierson, Searls, Shirley, and Smith—17.

NOES—Messrs. Brown of El Dorado, Haymond, Hilborn, Lambert, McCarthy, McCoppin, McGarvey, Montgomery, and Murphy of San Francisco—9.

Mr. Pierson moved that the whole subject be referred to the Judiciary Committee.

Mr. Haymond offered an amendment, that the committee report the same on Saturday next.

Amendment adopted, and the motion, as amended, prevailed.

Mr. Boyston submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, February 13th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Substitute for Senate Bill No. 61—An Act to incorporate the Town of Alameda.

And this day, at eleven o'clock A. M., presented the same to the Governor.

JOHN S. BOYSTON, for Committee.

Mr. Lewis, in pursuance to previous notice, moved to reconsider the vote by which Senate Bill No. 73—An Act to amend certain sections of the Political Code, and to repeal other sections of same Code, relating to public schools—passed on yesterday.

On which the ayes and noes were demanded by Messrs. Lewis, Haymond, and Searls, and the Senate refused to reconsider by a vote, as follows:

AYES—Messrs. Dean, Evans, Gwin, Hilborn, Howe, Lewis, Murphy of San Francisco, Murphy of Santa Clara, Pierson, Rogers, and Shirley—11.

NOES—Messrs. Boyston, Brown of Amador, Brown of El Dorado, Coleman, Curtis, Haymond, Hill, Lambert, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Luis Obispo, Satterwhite, Searls, and Smith—16.

Mr. Evans offered a resolution, providing for paying the traveling expenses of the Senate Committee who attended the funeral of the late Senator Angney.

And accepted an amendment, offered by Mr. Rogers, to include those attending the funeral of the late Assemblyman Upton.

Referred to the Committee on Contingent Expenses.

On motion of Mr. Smith, the rules were suspended to take up Senate Bill No. 332—An Act to legalize the assessment book and delinquent list in Los Angeles County.

Rules further suspended, considered engrossed, read third time, and passed.

RECESS.

At one o'clock and forty minutes P. M., on motion of Mr. Pierson, the Senate took a recess until two o'clock and thirty minutes P. M.

RE-ASSEMBLED.

At two o'clock and thirty minutes P. M., the Senate re-assembled. President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Benzell, Brown of El Dorado, Coleman, Curtis, Dean, Gwin, Hilborn, Hill, Howe, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Pierson, Rogers, Searls, and Shirley.

Mr. Hilborn moved a call of the Senate.

Carried.

ABSENTEES.

The roll was called, and Messrs. Brown of Amador, Craig, Crane, Evans, Haymond, Lambert, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Satterwhite, and Smith, were found absent without leave of the Senate.

On motion of Mr. Hilborn, further proceedings under the call of the Senate were dispensed with.

Messrs. Lambert, Nunan, and Smith, were subsequently recorded as being present.

GENERAL FILE.

Substitute for Senate Bill No. 33 was ordered at the foot of the file.

Senate Bill No. 170—An Act to amend section eight hundred and eighty-three of the Code of Civil Procedure.

Read third time, and passed.

Senate Bill No. 100—An Act to amend section five hundred and seventy-one of the Civil Code, and to add a new section to said Civil Code, to be numbered five hundred and eighty, in regard to savings and loan corporations.

Indefinitely postponed.

Mr. Howe (by leave) submitted a report, as follows:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 141—An Act to amend section two thousand five hundred and fifty-two—have had the same under consideration, and report it back, recommending passage of the same.

Also, Senate Bill No. 270—An Act to authorize certain payments by the Board of State Harbor Commissioners—have had the same under consideration, and report it back with an amendment, and recommend its passage as amended.

ROBT. HOWE, Chairman.

Mr. Murphy of San Luis Obispo (by leave) offered a resolution, as follows:

Resolved, That the use of the Senate Chamber be tendered to the ladies of Sacramento, to-morrow evening, for a masquerade ball.

Adopted.

GENERAL FILE RESUMED.

Senate Bill No. 97, passed on file.

Senate Bill No. 275 was ordered at the foot of the file.

Assembly Bill No. 156—An Act to amend sections two hundred and sixty-six and two hundred and seventy-five of the Penal Code, in reference to the crimes of seduction and producing abortion.

And Assembly Bill No. 214—An Act to amend section nine hundred and seventy-four of the Code of Civil Procedure, in reference to the time when an undertaking shall be filed on an appeal to the County Court.

Were re-referred to the Judiciary Committee, on motion of Mr. McGarvey.

Assembly Bill No. 93—An Act to amend section fifty-four of the Penal Code.

Indefinitely postponed.

Assembly Bill No. 220—An Act to amend section one thousand two hundred and ninety-one of the Penal Code, in reference to what Magistrate may admit prisoners to bail.

Read third time, and passed.

Senate Bill No. 274—An Act to amend section one thousand one hundred and sixty of the Civil Code.

Amended.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 277—An Act to amend sections three thousand eight hundred and fifty-seven and three thousand eight hundred and fifty-eight of the Political Code.

Amended.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 282—An Act to amend section two thousand and eighty-four of the Code of Civil Procedure, in relation to proceedings to perpetuate testimony.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 239—An Act to consolidate certain funds, and to create therefrom a permanent endowment for the University of California, of which the interest only shall be used by the Board of Regents to meet current expenses.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 281—An Act to add a new section to the Penal Code, in relation to the adulteration of candies.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Bill No. 308—An Act to fix the compensation of Road Overseers of the Counties of Alameda and San Mateo, and in relation to the road poll tax thereof.

Read third time, and passed.

Assembly Bill No. 11, passed on file.

Assembly Bill No. 317—An Act supplemental to and amendatory of an Act entitled an Act to facilitate the construction of a canal for the improvement of Oakland Harbor, approved April third, eighteen hundred and seventy-six.

Read third time, and passed.

Senate Bill No. 89—An Act to amend section nine of an Act entitled an Act to separate the office of County Recorder from the office of County Clerk, and regulate the salaries of certain officers of the County of Merced, approved March twenty-sixth, eighteen hundred and seventy-four.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Bill No. 240—An Act to amend an Act entitled an Act to separate the office of County Recorder from the office of County Clerk, and to regulate the salaries of certain officers in the County of Merced, approved March twenty-sixth, eighteen hundred and seventy-four.

Read third time, and passed.

Senate Bill No. 278—An Act to amend an Act entitled an Act to incorporate the City of Nevada, and all Acts supplementary thereto.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Bill No. 357—An Act to authorize the Board of Supervisors of Nevada County to remove the bodies of certain deceased persons.

Read third time, and passed.

Senate Bill No. 288—An Act to amend an Act entitled an Act to provide for the location, construction, and maintenance of public roads in the County of Nevada, approved March twenty-first, eighteen hundred and seventy-two.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 273—An Act to change the name of a town in Amador County.

Read third time, and passed.

Mr. Hillborn (by leave) offered a resolution, providing that the Senate committee, appointed to convey the remains of the late Senator Porter to San Francisco, be allowed for expenses.

Referred to Committee on Contingent Expenses.

Mr. Bones (by leave) introduced a bill, to be numbered Senate Bill No. 349—An Act in relation to the public printing in the Town of Alameda.

Read first and second times.

Rules suspended, on motion of the author, and the bill placed on its third reading.

Considered engrossed, read third time, and passed.

ADJOURNMENT.

At three o'clock and thirty-three minutes P. M., Mr. McGarvey moved that the Senate adjourn, on which the ayes and noes were demanded by the requisite number. The roll was called, with the following result:

Ayes—Messrs. Benzell, Brown of El Dorado, Coleman, Deen, Gwin, Haymond, Hall, McGarvey, Montgomery, Murphy of San Francisco, Rogers, Satterwhite, Sutley, and Smith—14.

Noes—Messrs. Donnan, Hillborn, Howe, Lewis, Murphy of San Luis Obispo, Murphy of Santa Clara, Numan, Pierson, and Searls—9.

When the Chair declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
THURSDAY, February 14th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Gwin, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

The Journal of yesterday not read, on motion of Mr. Murphy of San Francisco, and approved.

PETITIONS.

Mr. Gwin presented a remonstrance from citizens of Calaveras County, opposing a bill introduced reducing telegraph rates.

Received, and laid on the table.

On motion of Mr. Craig, the Committee on Hospitals were excused for the last three days' absence.

On motion of Mr. Murphy of Santa Clara, the Governor's message, returning Senate Bill No. 45 without his approval, was made a special order for Saturday next, at one o'clock p. m.

REPORTS.

Reports were submitted, as follows:

By Mr. McCoppin, from the Committee on Finance and Claims, Assembly Bill No. 269—An Act to appropriate funds for the use of Clerk of San Diego County, to pay deputies—recommending that the bill be referred to the San Diego delegation.

So referred.

Also, Senate Bill No. 325—An Act for the relief of Major John Stratman—recommending that the bill do not pass.

By Mr. Nunan:

SENATE CHAMBER,
SACRAMENTO, February 14th, 1878. }

MR. PRESIDENT: The San Francisco delegation, to whom was referred Assembly Bill No. 187—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California—have had the same under consideration, report it back, and recommend its passage as amended.

E. NUNAN, Chairman.

Subsequently, on motion of Mr. Donovan, the rules were suspended, and the bill above reported taken up for consideration.

On motion of Mr. Murphy of San Francisco, ordered on general file.

By Mr. McGarvey:

MR. PRESIDENT: The Judiciary Committee have had under consideration Assembly Bill No. 162—An Act to amend section eight hundred and fifty-three of the Code of Civil Procedure—report the same back, and recommend that it do not pass.

Also, Assembly Bill No. 166—An Act to provide for the payment of witnesses in criminal cases in the County of Placer—report the same back, and recommend that it do not pass.

Also, Assembly Bill No. 188—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure, in reference to when cases in Court may be dismissed or non-suit entered—report the same back, and recommend its passage.

Also, Senate Bill No. 244—An Act to provide for the payment, by the State of California, of the costs of certain criminal actions—report the same back, with amendments, and recommend its passage as amended, and request that it be printed as amended.

Also, Assembly Bill No. 248—An Act to add section nine hundred and twenty-six to the Code of Civil Procedure—report the same back, and recommend its passage.

Also, Assembly Bill No. 253—An Act to amend section three thousand four hundred and sixty-five of the Civil Code, relative to the omission to record certain assignments—report the same back, and recommend its passage.

Also, Assembly Bill No. 265—An Act to amend sections one thousand two hundred and twenty-seven, one thousand two hundred and thirty, one thousand two hundred and thirty-two, and one thousand two hundred and thirty-three of the Code of Civil Procedure, relative to the voluntary dissolution of corporations—report the same back, and recommend its passage.

Also, Senate Bill No. 299—An Act to amend section seven hundred and ninety-one of the Political Code—report the same back with amendments, and recommend its passage as amended.

McGARVEY, Chairman.

Senate Bill No. 244, above reported, was ordered printed, in accordance with the request of the committee.

Also,

MR. PRESIDENT: The Judiciary Committee have had under consideration Assembly Bill No. 118—An Act fixing the salary of the County Treasurer of the County of Inyo—report the same back, and recommend that it do not pass.

Also, Assembly Bill No. 191—An Act relative to certain duties of Constables in the several townships of the County of Alameda—report the same back, majority recommending its passage.

Also, Assembly Bill No. 192—An Act relative to executions from Courts of Justice of the Peace of the several townships of the County of Alameda—report the same back, a majority recommending its passage.

Also, Senate Bill No. 260—An Act to amend certain sections numbers one thousand three hundred and fifty, one thousand three hundred and sixty-five, one thousand three hundred and sixty-eight, one thousand three hundred and sixty-nine, and one thousand three hundred and seventy-nine of the Code of Civil Procedure—report the same back with amendments, and a majority recommend its passage as amended.

McGARVEY, Chairman.

By Mr. Beazell:

MR. PRESIDENT: The Alameda delegation, to whom was referred Senate Bill No. 201—An Act to fix the compensation of the Under Sheriff, Deputy Sheriff, and County Jailors of Alameda County—report the same back, with a substitute, and recommend the adoption and passage of the substitute.

J. BEAZELL.
J. W. BONES.

Mr. McGarvey, for the delegation, verbally reported and recommended the passage of Senate Bill No. 319—An Act to provide for building of bridges across South and Middle Eel River, in Mendocino County.

Mr. Fowler, for the delegation, verbally reported and recommended the passage of Assembly Bill No. 303—An Act to amend an Act entitled an Act to separate the office of County Auditor from the office of County Recorder, and to regulate salaries in the Counties of Fresno, Tulare, and Kern, approved March eighth, eighteen hundred and seventy-eight.

On motion of Mr. Fowler, the rules were suspended, and the bill taken up for consideration.

Read third time, and passed.

By Mr. Brown of El Dorado :

MR. PRESIDENT: The delegation, to whom was referred Senate Bill No. 339—An Act to create a Board of Auditors for El Dorado County, and fix the powers thereof—having had the same under consideration, report it back to the Senate, and recommend its passage.

BROWN, for Delegation.

Mr. McGarvey, for the delegation, verbally reported, recommending its passage, Assembly Bill No. 243—An Act to authorize Mad River Boom and Land Company to construct and maintain booms in Humboldt Bay.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

Mr. McCoppin, for the Committee on Finance and Claims, verbally reported Senate Bill No. 204—An Act to pay the claim of Mary M. Springer, widow and heir of Thomas A. Springer, late State Printer, deceased—with a recommendation, from a majority of the committee, in favor of the passage of the bill.

By Mr. Lewis:

SENATE CHAMBER,
SACRAMENTO, February 14th, 1878. }

MR. PRESIDENT: Your Committee on Education have had under consideration Senate Bill No. 1—An Act to establish and maintain free public libraries and reading rooms—amended the same, and report it back, and unanimously recommend its passage as amended.

Also, Senate Bill No. 344—An Act to amend an Act entitled an Act authorizing the Trustees of San Buenaventura School District, Ventura County, to issue bonds for said district for the sum of ten thousand dollars, approved March sixteenth, eighteen hundred and seventy-two—and report the same back, and recommend its passage.

Also, Senate Bill No. 272—An Act to add a section to the Political Code—and report the same back, and recommend that it do not pass.

Also, Senate Bill No. 309—An Act to add a section to the Political Code—and report the same back, and a majority of your committee recommend that it do not pass.

Also, Senate Bill No. 285—An Act to amend section one thousand seven hundred and seventy of the Political Code, relative to County Boards of Examination—and report it back, and recommend its passage.

Also, Senate Bill No. 326—An Act to extend the term of office of the members of the Board of Education, and the Superintendent of Common Schools of the City and County of San Francisco, hereafter to be selected—and report the same back, and ask its reference to the San Francisco delegation.

LEWIS, Chairman.

Senate Bill No. 326, above reported, was so referred.

By Mr. Howe:

SENATE CHAMBER,
SACRAMENTO, February 14th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Substitute for Senate Bill No. 212—An Act to amend sections two thousand five hundred and twenty-seven, and two thousand five hundred and thirty-six of the Political Code—concerning the construction of the sea-wall of San Francisco.

ROBT. HOWE, for the Committee.

By Mr. Boyston:

MR. PRESIDENT: Your Committee on Military Affairs, to whom was referred Senate Joint Resolution No. 35—In reference to appropriation for arming and equipping the militia—have had the same under consideration, and report the same back, recommending its passage.

J. S. BOYSTON, Chairman Military Committee.

Rules suspended, and the resolution, above reported, taken up.

Considered engrossed, read third time, and passed.

By Mr. Rogers:

MR. PRESIDENT: The Committee on Contingent Expenses have had under consideration the three resolutions referred to them, on yesterday, relating to the expenses of the committees attending the funerals of Senators Porter and Aigney, and Assemblyman Upton, and report the same back, with a substitute for the three, and recommend the passage of the substitute.

GEORGE H. ROGERS.

Rules suspended, and the substitute reported taken up, as follows:

Resolved, That Senators Evans, Dean, P. W. Murphy, Shirley, and Beazell, be allowed the sum of twenty-five dollars and twenty cents each; that Senators Murphy of Santa Clara, Murphy of San Francisco, Evans, Flint, and Rogers, be allowed the sum of forty-eight dollars each; and that Senators Hill, Howe, and Beazell, be allowed the sum of thirty-eight dollars and forty cents each, to be paid out of the appropriation for the contingent expenses of the Senate.

Adopted.

ASSEMBLY MESSAGE.

The following message was received from the Assembly:

ASSEMBLY CHAMBER.

SACRAMENTO, February 13th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, passed Substitute for Assembly Bill No. 94—An Act to regulate fees of office and salaries of certain officers in the County of Sonoma, and to repeal certain other Acts in relation thereto—and ordered the same transmitted without engrossment.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 94, above reported.

Read first and second times, and referred to the Sonoma County delegation.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows:

By Mr. McCarthy: Senate Bill No. 350—An Act to provide for ascertaining and paying certain claims against the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Bones: Senate Bill No. 351—An Act to authorize the City of Oakland to pay the sum of fifteen thousand dollars for the bridge, heretofore constructed across the Estuary of San Antonio, between Eighth Street and East Ninth Street.

Read first and second times, and referred to the Alameda delegation.

By Mr. Lewis: Senate Bill No. 352—An Act amendatory of and supplementary to an Act entitled an Act to authorize the County Judge of Tehama County to distribute town lots, held by him in trust for the citizens of the Town of Red Bluff, and to issue certificates of title to the inhabitants of said town, in accordance with their respective interests, approved March sixth, eighteen hundred and sixty-eight.

Read first and second times, and referred to the delegation from Tehama County.

By Mr. Crane: Senate Bill No. 353—An Act for the encouragement of agricultural and other industries.

Read first and second times, and referred to the Committee on Agriculture.

Also, Senate Bill No. 354—An Act making the Sheriff of Butte County the Collector of Licenses therein, fixing his salary therefor.

Read first and second times, and referred to the delegation from Butte County.

By Mr. Lewis: Senate Bill No. 355—An Act concerning road poll tax and hospital poll tax for Tehama County.

Read first and second times, and referred to the delegation from Tehama County.

By Mr. Ream: Senate Bill No. 356—An Act to amend sections three thousand and seventy-four, three thousand and seventy-seven, three thousand and seventy-nine, and three thousand and eighty-one of the Political Code, and to add a new section thereto, to be numbered section three thousand and eighty-three, relative to the registry of births, marriages, and deaths.

Read first and second times, and referred to the Committee on Hospitals.

By Mr. Howe: Senate Bill No. 357—An Act to provide for the appointing of an additional Deputy Clerk for the Justices' Court of the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Smith: Senate Bill No. 358—An Act in relation to railroads.

Also, Senate Bill No. 359—An Act amendatory of and supplementary to an Act entitled an Act to provide for the appointment of Commissioners of Transportation, to fix the maximum charges for freights and fares, and to prevent extortion and discrimination of railroads in this State, approved April third, eighteen hundred and seventy-six.

Also, Senate Bill No. 360—An Act for the prevention of unjust discrimination, and for the regulation of freights and fares on railroads in this State.

Also, Senate Bill No. 361—An Act to authorize the issuance of bonds for the payment of damages for the widening and extension of Los Angeles Street, in the City of Los Angeles.

Each of the above bills read first and second times, and referred to the Committee on Corporations.

Rules suspended, and four hundred and eighty copies of each ordered printed.

By Mr. Craig: Senate Bill No. 362—An Act to provide a supply of water for the State Prison.

Read first and second times, and referred to the Committee on State Prison.

By Mr. McGarvey: Senate Bill No. 363—An Act for the relief of purchasers of State lands.

Read first and second times, and referred to the Judiciary Committee.

SPECIAL ORDERS—SET FOR TWELVE O'CLOCK M.

Substitute for Senate Bill No. 8—An Act for the relief of Otto Kloppenberg.

Re-referred to the San Francisco delegation.

Substitute for Senate Bill No. 51—An Act to foster home industries in the publication of text-books, and to maintain the good faith of the State by reestablishing the contract heretofore entered into by and between A. L. Bancroft & Co. and the State Board of Education of the State of California.

[Mr. Rogers in the chair.]

Printed bills taken up in place of the original bills.

RECESS.

At two o'clock P. M., on motion of Mr. Satterwhite, the Senate took a recess until two o'clock and thirty minutes P. M.

RE-ASSEMBLED.

At two o'clock and thirty minutes P. M., Senate re-assembled.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, Montgomery, Murphy of San Francisco, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

Mr. Howe (by leave) offered a resolution, as follows:

Resolved, That the Engrossing Clerk of the Senate be instructed to insert in Senate Bill No. 82, in section one, the word "Taylor" in lieu of the word "Powell," to conform to the Senate amendment.

Adopted.

Senate Bill No. 51, resumed.

The question being on the adoption of the amendment offered by Mr. Smith, as an amendment to Mr. Murphy's amendment to the special instructions, the ayes and noes were demanded by Messrs. Smith, Craig, and Montgomery, and the Senate refused by a vote, as follows:

AYES—Messrs. Curtis, Donovan, Goodwin, Haymond, Lambert, McCarthy, Montgomery, and Smith—8.

NOES—Messrs. Beazell, Bones, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Dean, Evans, Flint, Fowler, Gwin, Hilborn, Hill, Howe, Lewis, McCoppin, McGarvey, Murphy of Santa Clara, Nunan, Pierson, Ream, Satterwhite, Searls, Shirley, and Whitney—26.

On adopting the amendment offered by Mr. Murphy to the special instructions offered by Mr. Lewis, the ayes and noes were demanded by Messrs. Murphy of Santa Clara, Craig, and Searls, and the Senate refused by a vote, as follows:

AYES—Messrs. Curtis, Donovan, Fowler, Goodwin, Haymond, Lambert, McCarthy, Montgomery, Murphy of Santa Clara, and Smith—10.

NOES—Messrs. Beazell, Bones, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Dean, Evans, Flint, Gwin, Hilborn, Hill, Howe, Lewis, McCoppin, McGarvey, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, and Whitney—26.

On the question of adopting the special instructions offered by Mr.

Lewis, to be referred to Mr. Pierson, the author of the substitute heretofore adopted, and to report the same immediately as a substitute for the bill, the ayes and noes were demanded by Messrs. Evans, Searls, and Murphy of San Francisco, and the special instructions were adopted, as above, by a vote, as follows:

AYES—Messrs. Bones, Brown of Amador, Brown of El Dorado, Coleman, Craig, Dean, Flint, Gwin, Hill, Howe, Lewis, McCoppin, McGarvey, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Ream, Searls, Smith, and Whitney—20.

NOES—Messrs. Beazell, Boyston, Crane, Curtis, Donovan, Evans, Fowler, Goodwin, Haymond, Hilborn, Lambert, McCarthy, Montgomery, Pierson, Rogers, Satterwhite, and Shirley—17.

Mr. Pierson reported the bill, with the amendment, and in accordance with the special instructions.

Mr. Lewis moved to dispense with the re-engrossment of the bill, on which the ayes and noes were demanded by Messrs. Lewis, McGarvey, and McCoppin, and the motion prevailed by a vote, as follows:

AYES—Messrs. Bones, Brown of Amador, Brown of El Dorado, Coleman, Craig, Dean, Flint, Gwin, Haymond, Hill, Howe, Lewis, McCoppin, McGarvey, Murphy of Santa Clara, Nunan, Pierson, Ream, Searls, Smith, and Whitney—21.

NOES—Messrs. Beazell, Boyston, Crane, Curtis, Donovan, Evans, Fowler, Goodwin, Hilborn, Lambert, McCarthy, Montgomery, Rogers, Satterwhite, and Shirley—15.

Read third time.

ADJOURNMENT.

Pending discussion, at five o'clock P. M., Mr. Goodwin moved to adjourn, on which the ayes and noes were demanded by Messrs. Murphy of San Francisco, Pierson, and McCarthy, and the roll was called, with the following result:

AYES—Messrs. Beazell, Boyston, Crane, Curtis, Donovan, Evans, Goodwin, Gwin, Haymond, Hilborn, Hill, Lambert, McCarthy, Montgomery, Pierson, Rogers, Satterwhite, Shirley, and Smith—19.

NOES—Messrs. Bones, Brown of Amador, Brown of El Dorado, Coleman, Craig, Dean, Flint, Howe, Lewis, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Nunan, Ream, Searls, and Whitney—17.

When the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
FRIDAY, February 15th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Goodwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

The Journal of yesterday not read, on motion of Mr. Murphy, and same approved.

Mr. Boyston was granted leave of absence for one day.

PETITIONS.

Mr. Haymond presented a communication from Hon. R. Pacheco, relative to the claim of George W. Morgan against the State, for services as Secretary of the Reclamation Fund Commission, with accompanying papers and documents.

Received, and referred to the Committee on Claims.

By Mr. McCoppin—From taxpayers and owners of property of the City and County of San Francisco, urging the passage of a bill for the opening of a proposed avenue to connect Golden Gate Park with Market Street, in said city and county.

Received, and referred to the San Francisco delegation.

By Mr. Murphy of San Luis Obispo—A remonstrance from citizens of Santa Barbara, opposing the passage of a bill introduced reducing telegraph rates.

By Mr. Gwin—A remonstrance from citizens of Calaveras County, relative to the same subject.

Each of the above received, and referred to the Committee on Corporations.

On motion of Mr. Smith, the rules were suspended and Senate Bills Nos. 358, 359, and 360, were ordered printed out of order.

REPORTS.

Reports were submitted, as follows:

By Mr. Lambert:

MR. PRESIDENT: Your Committee on Federal Relations have had under consideration Senate Joint Resolution No. 99—In regard to a cemetery for San Francisco.

Also, Assembly Joint Resolution No. 40—Relative to establishing a mail route from Reno, in the State of Nevada, to Chico, in California—and herewith report the same back, and recommend their passage.

LAMBERT, Chairman.

By Mr. Pierson, for the Judiciary Committee:

Your Committee on Judiciary have had under consideration the following bills, and report the same back, with recommendations, as follows:

Senate Bill No. 58—An Act to amend an Act entitled an Act to regulate fees of office, and to fix the compensation of certain officers in the County of Contra Costa, approved March second, eighteen hundred and seventy-six, with a substitute therefor—and recommend the passage of the substitute.

Senate Bill No. 142—An Act to amend sections three hundred and ninety-six and three hundred and ninety-nine of the Code of Civil Procedure, with a substitute therefor—and a majority recommend the passage of the substitute.

Senate Bill No. 276—An Act to protect canals, ditches, flumes, and reservoirs, with amendments—and recommend the adoption of the amendments, and passage of the bill as amended.

Senate Bill No. 296—An Act to add another section to the Penal Code, to be known as section six hundred and fifty-five, with a substitute therefor—and recommend the passage of the substitute.

Senate Bill No. 179—An Act to repeal sections six hundred and sixty-six, six hundred and sixty-seven, and six hundred and sixty-eight of the Penal Code—without recommendation.

Senate Bill No. 304—An Act legalizing the State and county tax and assessment in the County of Nevada, in eighteen hundred and seventy-seven and eighteen hundred and seventy-eight—and recommend its passage.

Assembly Bill No. 212—An Act relative to Justices' fees, and amendatory of an Act approved

April fourth, eighteen hundred and seventy, entitled an Act to amend an Act to regulate fees of office, approved March sixth, eighteen hundred and seventy—and recommend its passage.

Senate Bill No. 308—An Act to amend section three hundred and forty of the Penal Code—and recommend that it do not pass.

Senate Bill No. 314—An Act to amend the Code of Civil Procedure, in relation to attachments—and recommend its passage.

Senate Bill No. 318—An Act to amend section three hundred and seventy-two of the Code of Civil Procedure—and recommend its passage.

Senate Bill No. 335—An Act to amend section one hundred and seventy-seven of the Code of Civil Procedure—and recommend its passage.

Senate Bill No. 336—An Act to amend section one thousand seven hundred and nine of the Code of Civil Procedure—and recommend its passage.

Senate Bill No. 342—An Act to legalize a tax for building a school house in the New York School District, in Contra Costa County—and recommend its passage.

Senate Bill No. 334—An Act to appropriate twenty-five thousand dollars, to be used conjointly with a like sum of twenty-five thousand dollars donated by H. D. Bacon, for the construction of a building, to be erected on the State University grounds, in Alameda County, for a library and art gallery—and recommend that it be referred to the Committee on Finance and Claims.

McGARVEY, Chairman.

Senate Bill No. 334, above reported, was referred to the Committee on Finance and Claims.

Mr. Satterwhite, for the delegation, verbally reported, recommending the passage of the bill as amended.

Assembly Bill No. 269—An Act to appropriate funds for the use of the County Clerk of San Diego County to pay deputies.

Rules suspended, and the bill taken up for consideration.

Amendments adopted.

Read third time, and passed.

By Mr. Brown of El Dorado:

MR. PRESIDENT: The delegation, to whom was referred Assembly Bill No. 336—An Act relative to the Assessors of El Dorado County—having had the same under consideration, report it back to the Senate, and recommend its passage.

BROWN, for the Delegation.

By Mr. Coleman:

MR. PRESIDENT: The Nevada County delegation, to whom was referred Senate Bill No. 330—An Act amendatory to an Act entitled an Act to amend an Act entitled an Act to revise and amend an Act entitled an Act to incorporate the Town of Grass Valley, approved April fifteenth, eighteen hundred and sixty-one, approved February twenty-sixth, eighteen hundred and sixty-four, approved March twenty-fourth, eighteen hundred and sixty-six—have had the same under consideration, report it back, and recommend its passage.

JOHN C. COLEMAN,
NILES SEARLS.

INTRODUCTION OF BILLS.

Bills were introduced, as follows:

By Mr. Beazell: Senate Bill No. 364—An Act to provide compensation for the Township Assessor of the Township of Oakland, County of Alameda.

Also, Senate Bill No. 365—An Act to provide for the issuance of certain bonds by the County of Alameda, and for the payment of the same out of certain funds to be raised in the Town of Alameda.

Each of the above bills read first and second times, and referred to the Alameda County delegation.

By Mr. Howe: Senate Bill No. 366—An Act to change the corporate name of the Mission Street Methodist Episcopal Church, in the City and County of San Francisco.

Read first and second times.

Rules suspended, and bill taken up for consideration.

Considered engrossed, and by unanimous consent, read third time, and passed.

By Mr. Murphy of Santa Clara County: Senate Bill No. 367—An Act to ratify and confirm the acts of the Mayor and Common Council of the City of San José.

Read first and second times, and referred to the delegation from Santa Clara County.

By Mr. Haymond: Senate Bill No. 368—An Act to quiet title to land in the County of Yolo.

Read first and second times, and referred to the Committee on Public Lands.

Also, Senate Bill No. 369—An Act for the protection of the public roads on Sherman Island.

Read first and second times, and referred to the Sacramento County delegation.

By Mr. Brown of Amador: Senate Bill No. 370—An Act to authorize and require the Board of Supervisors of San Joaquin County to allow a claim of S. G. B. Dunbar, and to authorize and require the Auditor of said county to draw a warrant therefor, and to authorize and require the Treasurer of said county to pay the same.

Read first and second times.

Rules suspended, the bill taken up for consideration, and by unanimous consent, read third time, and passed, and ordered transmitted to the Assembly without engrossment.

By Mr. Pierson: Senate Bill No. 371—An Act to repeal an Act entitled an Act to prevent changes in the text-books in use in the public schools, approved December thirteenth, eighteen hundred and seventy-five.

Read first and second times, and referred to the Committee on Education.

MOTIONS AND RESOLUTIONS.

On motion of Mr. Dean, Senate Joint Resolution No. 27—Relative to trans-continental railroads, was taken up and continued as a special order for Tuesday next, at twelve o'clock M.

On motion of Mr. Lewis, and by general consent, the unfinished business of the preceding day was taken up, Substitute for Senate Bill No. 51—An Act to foster home industries in the publication of text-books, and to maintain the good faith of the State by reestablishing the contract heretofore entered into by and between A. L. Bancroft & Co. and the State Board of Education of the State of California.

On the passage of the bill, the ayes and noes were demanded by the requisite number, and the bill passed by a vote, as follows:

AYES—Messrs. Bones, Brown of Amador, Brown of El Dorado, Coleman, Craig, Dean, Flint, Gwin, Hill, Howe, Lewis, McCoppin, McFarvey, Murphy of San Luis Obispo, Nunan, Ream, Rogers, Seals, and Whitney—19.

NOES—Messrs. Beazell, Crane, Curtis, Donovan, Evans, Goodwin, Haymond, Hilborn, Lambert, McCarthy, Montgomery, Murphy of Santa Clara, Pierson, Satterwhite, Sharley, and Smith—17.

Title amended.

Mr. Rogers gave notice that, on to-morrow, he would move to reconsider the vote by which the bill passed.

GENERAL FILE.

Senate Bill No. 97.

Passed on file.

Assembly Bill No. 11—An Act for the relief of the school department of the City of Oakland.

On motion of Mr. Bones, re-referred to the Alameda County delegation.

Senate Bill No. 86—An Act to declare Clear Lake, in Lake County, navigable.

Rules suspended, considered engrossed, read third time, and passed. Ordered to the Assembly without engrossment.

Senate Bill No. 293—An Act to amend Chapter Two, Article Six, Title Fourteen of the Civil Code.

And Senate Bill No. 109—An Act to amend the Civil Code, concerning the mortgage of growing crops.

Amendments adopted to Senate Bill No. 293, and each bill referred to the Judiciary Committee, and made special orders for Monday next, at one o'clock P. M.

Substitute for Senate Bill No. 209—An Act amendatory to an Act to provide for the maintenance and construction of roads and highways in the County of Mariposa, approved March thirty-first, eighteen hundred and seventy-six.

Amendments adopted.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Bill No. 250—An Act to repeal an Act entitled an Act to create a special road district in the County of Santa Barbara, and to provide a road fund for said district, approved March twenty-seventh, eighteen hundred and seventy-six.

Read third time, and passed.

Senate Bill No. 269—An Act to ratify and confirm order number one thousand four hundred and four of the Board of Supervisors of the City and County of San Francisco.

Amended.

Rules suspended, considered engrossed, read third time, and passed.

Rules further suspended, and the bill ordered engrossed out of its order.

Senate Bill No. 141—An Act to amend section two thousand five hundred and fifty-two of an Act to amend an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two, and to add a certain new section thereto, approved February twenty-eighth, eighteen hundred and seventy-six.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 270—An Act to authorize certain payments by the Board of State Harbor Commissioners.

Amended.

Ordered engrossed.

Substitute for Senate Bill No. 33.

Passed on file.

Senate Bill No. 275—An Act to ratify the contract between the Stockton Gas Company and the City of Stockton, to supply gas to said city and its inhabitants, approved by the Acting Mayor of said city on the eighteenth day of December, eighteen hundred and seventy-seven.

Rules suspended, considered engrossed, read third time, and passed.

Ordered to the Assembly without engrossment.

Senate Bill No. 325—An Act for the relief of Major John Stratman.

Re-referred to the Committee on Claims, on motion of Mr. McCarthy.

Assembly Bills Nos. 187 and 166.

Each passed on file.

Assembly Bill No. 162—An Act to amend section eight hundred and fifty-three of the Code of Civil Procedure.

Indefinitely postponed.

Assembly Bill No. 188—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure, in reference to when cases in court may be dismissed or non-suit entered.

Read third time, and passed.

Assembly Bill No. 248—An Act to add section nine hundred and twenty-six to the Code of Civil Procedure.

Read third time, and passed.

Assembly Bill No. 253—An Act to amend section three thousand four hundred and sixty-five of the Civil Code, relative to the omission to record certain assignments.

Read third time, and passed.

Assembly Bill No. 265—An Act to amend sections one thousand two hundred and twenty-seven, one thousand two hundred and thirty, one thousand two hundred and thirty-two, and one thousand two hundred and thirty-three of the Code of Civil Procedure, relative to the voluntary dissolution of corporations.

Read third time, and passed.

Senate Bill No. 299—An Act to amend section seven hundred and ninety-one of the Political Code.

Amendments adopted.

Ordered engrossed.

SPECIAL ORDERS.

The following special orders were taken up:

Senate Joint Resolution No. 24—Concerning the Southern policy and civil service policy of the President.

Amended.

Ordered printed, and, on motion of Mr. Lewis, continued as a special order, to be discussed Thursday evening, the twenty-first instant, at seven o'clock.

For Monday, February eighteenth, eighteen hundred and seventy-eight, Senate Bill No. 46—An Act to prevent adulteration of milk, and to establish the office of Milk Inspector in and for the City and County of San Francisco.

The special order was discharged, and the bill referred to the Committee on Hospitals.

For Friday, February fifteenth, eighteen hundred and seventy-eight, at two p. m., Senate Bill No. 10—An Act to amend certain sections and to repeal certain sections of the Political Code, approved ----- twelfth, eighteen hundred and seventy-two, concerning the salaries of the civil executive officers of the State, was continued until Thursday evening, the twenty-first instant, at half-past seven o'clock.

Mr. Craig submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, February 15th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 269—An Act to ratify and confirm order number one thousand four hundred and four of the Board of Supervisors of the City and County of San Francisco.

J. CRAIG, for the Committee.

ADJOURNMENT.

At one o'clock and twenty minutes P. M., on motion of Mr. Murphy of Santa Clara, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SATURDAY, February 16th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

The Journal of yesterday not read, on motion of Mr. Haymond.
Same approved.

Mr. Bones was granted leave of absence for one day.

PETITIONS.

Petitions were presented, as follows:

By Mr. Fowler—From citizens of Visalia, Tulare County, asking the disincorporation of certain portions of said City of Visalia.

Received, and referred to the Committee on Corporations.

RECONSIDERATION.

In accordance with previous notice, Mr. Rogers moved to reconsider the vote by which Senate Bill No. 51—An Act to amend sections one thousand five hundred and twenty-one, one thousand eight hundred and seventy-four, and one thousand eight hundred and seventy-five of the Political Code, and to repeal an Act to prevent changes in the text-books in use in the public schools, approved December thirteenth, eighteen hundred and seventy-five—passed the Senate on yesterday.

On which the ayes and noes were demanded by Messrs. Lewis, Evans, and Rogers, and the vote was reconsidered by a vote, as follows:

AYES—Messrs. Beazell, Boyston, Curtis, Donovan, Evans, Fowler, Goodwin, Haymond, Hilborn, Howe, Lambert, McCarthy, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Pierson, Rogers, Satterwhite, Shirley, and Smith—20.

NOES—Messrs. Brown of Amador, Coleman, Craig, Dean, Flint, Gwin, Lewis, McCoppin, McGarvey, Murphy of San Luis Obispo, Norton, Nunan, Ream, Searls, and Whitney—15.

The bill now being before the Senate, on its third reading and passage, Mr. Evans moved to indefinitely postpone the bill.

On which the ayes and noes were demanded by Messrs. Evans, Lambert, and Rogers, and the motion prevailed by a vote, as follows :

AYES—Messrs. Beazell, Boyston, Curtis, Donovan, Evans, Fowler, Goodwin, Haymond, Hilborn, Lambert, Lewis, McCarthy, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Pierson, Rogers, Satterwhite, Shirley, and Smith—20.

NOES—Messrs. Brown of Amador, Coleman, Craig, Dean, Flint, Gwin, Hill, Howe, McCoppin, McGarvey, Murphy of San Luis Obispo, Norton, Nunan, Ream, Searls, and Whitney—16.

Mr. Lewis gave notice that, on the next legislative day, he would move to reconsider the vote by which the bill was indefinitely postponed.

Objections being raised, the Chair ordered the notice to be entered, and stated that the question of reconsidering the motion of indefinite postponement would be decided when made.

ASSEMBLY MESSAGE.

The following message was received from the Assembly :

ASSEMBLY CHAMBER,)
SACRAMENTO, February 15th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the fourteenth day of February, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 416—An Act to regulate the terms of the County Court of San Joaquin County.

Also, Assembly Bill No. 428—An Act in relation to the Assessor of the County of Sacramento.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 416, above reported.

Read first and second times, and referred to the Judiciary Committee.

Assembly Bill No. 428, above reported.

Read first and second times, and referred to the Sacramento County delegation.

ASSEMBLY CHAMBER,)
SACRAMENTO, February 16th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the death of the Hon. Robert Ludgate, member from Amador County, having this day been announced to the Assembly, Assembly Concurrent Resolution No. 49, relative thereto, was unanimously adopted, and the Speaker appointed as the committee on the part of the Assembly, under said resolution, Messrs. Dunlap, Wheat, Myers, Miller, and Ames; and the Senate is respectfully asked to concur therein.

E. L. CRAWFORD, Assistant Clerk.

IN MEMORIAM.

Assembly Concurrent Resolution No. 49, above reported, reading as follows, was taken up:

Resolved by the Assembly, the Senate concurring, That a committee of five Assemblymen be appointed by the Speaker of the Assembly, and five Senators by the President of the Senate, to attend the funeral obsequies of the Hon. Robert Ludgate, on Sunday, the seventeenth instant, at three o'clock p. m., in Lone City, Amador County; and further, that the Assembly attend the funeral in a body.

Concurred in by a unanimous vote.

The President appointed the committee provided for under the resolution, on the part of the Senate, Messrs. Craig, Brown of El Dorado, Rogers, Brown of Amador, and Nunan.

REPORTS.

Reports were submitted, as follows:

By Mr. Hill:

SENATE CHAMBER,
SACRAMENTO, February 14th, 1878. }

MR. PRESIDENT: The Committee on Agriculture, to whom was referred Assembly Bill No. 195—An Act entitled an Act relative to cheese factories—herby report the same back, with recommendation that the bill be referred to the delegations from Santa Clara, Sacramento, Monterey, Plumas, Lassen, and Placer.

HILL, Chairman.

The bill, above reported, was so referred.

By Mr. Ream:

SENATE CHAMBER,
SACRAMENTO, February 15th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 185—An Act for the relief of G. C. Knox.

Also, Senate Substitute for Assembly Bill No. 41—An Act to repeal certain Acts in relation to the term of the County and Probate Courts in certain counties, and to amend sections eighty-eight and ninety-nine of the Code of Civil Procedure.

Also, Senate Bill No. 144—An Act for the relief of Wells, Fargo & Co.

Also, Senate Bill No. 255—An Act to amend an Act entitled an Act to re-incorporate the City of Stockton, approved March twenty-seventh, A. D. eighteen hundred and seventy-two.

Also, Senate Bill No. 263—An Act to provide for the appointment of a Reporter of the decisions of the Supreme Court.

Also, Senate Bill No. 278—An Act to amend section nine hundred of the Penal Code, relating to challenges to individual grand jurors.

Also, Senate Bill No. 273—An Act to legalize the assessment of taxes in the City and County of San Francisco, and to ratify and confirm a resolution of the Board of Supervisors of the City and County of San Francisco.

Also, Senate Bill No. 286—An Act granting certain privileges to the North Beach and Mission Railroad Company.

Also, Senate Bill No. 268—An Act to amend section two of an Act entitled an Act to create a City Criminal Court in and for the City and County of San Francisco, approved April third, eighteen hundred and seventy-six.

Also, Senate Bill No. 280—An Act to confer additional powers upon, and to authorize certain appropriations of money by, the Board of Supervisors of the City and County of San Francisco.

Also, Senate Bill No. 60—An Act to provide for the payment of certain coupons upon bonds issued by the Central Pacific Railroad Company, and known as State Aid Bonds.

Also, Senate Bill No. 82—An Act concerning the water front of the City and County of San Francisco.

REAM and FLINT, for the Committee.

On motion of Mr. Lewis, Senate Substitute for Assembly Bill No. 41 was taken up, under a suspension of the rules, and referred to the Judiciary Committee.

By Mr. Searls:

MR. PRESIDENT: The Committee on Corporations, to whom was referred Senate Bill No. 315—An Act to incorporate the Town of Etna, Siskiyou County, California—beg leave to report that they have had the same under consideration, and now report back, and recommend the passage thereof.

NILES SEARLS, Chairman.

By Mr. McCoppin:

MR. PRESIDENT: The Committee on Finance and Claims, to whom was referred Assembly Bill No. 329—An Act to amend an Act to establish and maintain a training ship in the City and County of San Francisco, approved February fifteenth, eighteen hundred and seventy-six—have had the same under consideration, and a majority recommend its passage.

Also, Senate Bill No. 162—An Act concerning licenses in the County of San Benito—and recommend that it be referred to the delegation from San Benito County.

McCOPPIN, Chairman of Committee.

Senate Bill No. 162, above reported, was referred in accordance with the request of the committee.

By Mr. Howe:

MR. PRESIDENT: The Committee on Commerce and Navigation, to whom was referred Senate Bill No. 317—An Act to confirm the title to certain property on the water front in the City and County of San Francisco—have had the same under consideration, report it back, and recommend its passage as amended.

HOWE, Chairman.

By Mr. Boyston:

MR. PRESIDENT: Your Committee on Military Affairs, to whom was referred Assembly Joint Resolution No. 11—relative to the encouragement of rifle practice in the army of the United States and militia of the several States—have had the same under consideration, and report it back with an amendment, and recommend its passage as amended.

Also, Senate Bill No. 129—An Act to add a new section to the Political Code, to be known as section one thousand nine hundred and forty-one—report the same back, and recommend its passage.

BOYSTON, Chairman.

By Mr. Nunan:

SENATE CHAMBER,
SACRAMENTO, February 16th, 1878. }

MR. PRESIDENT: The San Francisco delegation, to whom was referred Senate Bill No. 115—An Act to confer additional powers on the Board of Supervisors of the City and County of San Francisco, to provide for the opening of Serpentine Avenue, and the condemnation of private property therefor—have had the same under consideration, report it back, and recommend its passage as amended.

Also, Assembly Bill No. 128—An Act to regulate the quality and standard illuminating powers and the price of gas, in all cities within the State of California having a population of one hundred thousand or more—have had the same under consideration, report it back, and recommend its passage.

Also, Assembly Bill No. 124—An Act for the relief of John Rierdon, B. H. Kenney, Patrick Donahue, and W. B. Jourdan—have had the same under consideration, report it back, and recommend its passage.

Also, Assembly Bill No. 203—An Act to amend an Act entitled an Act to provide for a Police Contingent Fund, approved February twenty-eighth, eighteen hundred and fifty-nine—have had the same under consideration, report it back, and recommend its passage.

Also, Assembly Bill No. 184—An Act to amend an Act entitled an Act repealing Article Four of an Act entitled an Act to repeal the several charters of the City of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved the nineteenth day of April, eighteen hundred and fifty-six, and all Acts amendatory thereof and supplementary thereto, and substituting this Act for said Article Four, approved April first, eighteen hundred and seventy-two—have had the same under consideration, report it back, and recommend its passage.

Also, Senate Bill No. 310—An Act to increase the appropriations for the support of the Hospital and Almshouse of the City and County of San Francisco—have had the same under consideration, report it back, and recommend its passage.

E. NUNAN, Chairman.

By Mr. Murphy of Santa Clara:

MR. PRESIDENT: The Santa Clara delegation, to whom was referred Senate Bill No. 367—An Act to ratify and confirm the acts of the Mayor and Common Council of the City of San José—would respectfully report the same, and recommend its passage.

MURPHY, for the Delegation.

Mr. Satterwhite, for the Committee on Irrigation and Water Rights, verbally reported, recommending its passage, Assembly Bill No. 90—An Act to regulate the use of artesian wells, and to prevent the waste of subterranean waters in this State.

Mr. Hill, for the Committee on Agriculture, verbally reported, recommending its passage, Assembly Bill No. 204—An Act repealing section four of an Act extending the provisions of an Act concerning hogs found running at large in the Counties of Colusa, Tehama, Butte, Sonoma, and Napa, to Modoc County, approved March twenty-third, eighteen hundred and seventy-four, so far as the same relates to that portion of Modoc County known as Adin Township.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

By Mr. Murphy of San Luis Obispo, for the Committee on Roads and Highways, recommending its passage, Assembly Bill No. 235—An Act to amend an Act entitled an Act concerning roads and highways in the County of Placer, approved March twenty-third, eighteen hundred and seventy-six.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows:

By Mr. Fowler: Senate Bill No. 372—An Act to disincorporate a portion of the City of Visalia, Tulare County, California.

Read first and second times, and referred to the Committee on Corporations.

By Mr. Hilborn: Senate Bill No. 373—An Act to add a new section to the Civil Code.

Read first and second times, and referred to the Judiciary Committee.

Also, Senate Bill No. 374—An Act to pay the claim of Hiram Clock.

Read first and second times, and referred to the Committee on Claims.

Also, Senate Bill No. 375—An Act making an appropriation to pay the expenses of Presidential Electors.

Read first and second times, rules suspended, considered engrossed, and by unanimous consent, read third time, and passed, and ordered transmitted to the Assembly forthwith without engrossment.

By Mr. Fowler: Senate Bill No. 376—An Act for the relief of John F. Dillon, Assessor of Inyo County.

Read first and second times, and referred to the delegation from Inyo County.

By Mr. Lambert: Senate Bill No. 377—An Act to provide for a levee drainage and road district in the County of Yolo.

Read first and second times, and referred to the delegation from Yolo County.

By Mr. Murphy of Santa Clara: Senate Bill No. 378—An Act to amend an Act entitled an Act in relation to the county officers of Santa Clara County, their fees and salaries, approved February tenth, eighteen hundred and seventy-six.

Also, Senate Bill No. 379—An Act to amend an Act entitled an Act to re-incorporate the City of San José, approved March seventeenth, eighteen hundred and seventy-four.

Also, Senate Bill No. 380—An Act concerning the Santa Clara Avenue, and certain public lands of the City of San José, in the County of Santa Clara.

Each of the above bills read first and second times, and referred to the delegation from Santa Clara County.

By Mr. Fowler: Senate Bill No. 381—An Act to exempt firemen of the Eureka Fire Company No. 1, of Visalia, Tulare County, from the payment of poll and road tax.

Read first and second times, and referred to the Judiciary Committee.

SPECIAL ORDER—FOR ONE O'CLOCK P. M.

Governor's message, returning Senate Bill No. 45 without his approval.

On motion of Mr. Evans, the rules were suspended, and the special order continued for Monday, at the same hour.

ADJOURNMENT.

Mr. Brown of Amador offered the following resolution:

Resolved, That the Senate do now adjourn, out of respect for the memory of Hon. Robert Ludgate, member of the Assembly from Amador.

Adopted unanimously.

And at eleven o'clock and fifty minutes A. M., the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
MONDAY, February 18th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Boyston, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Evans, Fowler, Goodwin, Hilborn, Hill, Howe, Lambert, McCarthy, McCoppin, McJarvey, Murphy of San Luis Obispo, Ream, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

The Journal of Saturday last read and approved.

LEAVE OF ABSENCE.

On motion of Mr. Lambert, Senator Montgomery was granted indefinite leave of absence.

On motion of Mr. McCoppin, Senators Dean, Donovan, Murphy of San Francisco, Nunan, Pierson, and Rogers, were granted leave of absence for one day each.

Senator Beazell was granted leave of absence for two days, and Senators Gwin and Lewis for one day each.

PETITIONS.

Mr. Murphy of San Luis Obispo presented a petition from Cambria Grange, No. 25, asking the repeal of what is known as the incendiary bill.

Received, and referred to the Judiciary Committee.

REPORTS.

Reports were submitted, as follows :

By Mr. McCoppin :

MR. PRESIDENT: The Committee on Finance and Claims, to whom was referred Senate Bill No. 143—An Act for the relief of Mrs. T. M. Logan—have had the same under consideration, and report it back, with a recommendation that it do not pass.

Also, Senate Bill No. 194—An Act to provide for the payment of the claim of John H. Carroll against the State of California—report the same back, with a recommendation that it do not pass.

Also, Senate Bill No. 36—An Act for the relief of John Timmins—and report the same back, with a recommendation that it do not pass.

Also, Senate Bill No. 167—An Act to pay the claim of E. G. Jeffers—and report the same back, with a recommendation that it do not pass.

Also, Assembly Bill No. 67—An Act for the relief of Julius Blume—and report the same back, with a recommendation that it pass.

Also, Assembly Bill No. 109—An Act to authorize the Controller and Treasurer of State to transfer certain funds—and report the same back, and recommend its passage.

Also, Assembly Bill No. 98—An Act making appropriations for deficiencies in the twenty-seventh, twenty-eighth, and twenty-ninth fiscal years—report the same back, and recommend its passage.

Also, Senate Bill No. 44—An Act to fix the bonds of the county officers of Ventura County—report the same back, and recommend that it be referred to the Judiciary Committee.

Also, joint resolution in relation to the currency. The committee beg leave to report a substitute for Joint Resolutions Nos. 6 and 21, and the substitute offered therefor, and recommend the passage of the substitute of the committee.

MCCOPPIN, Chairman.

Senate Bill No. 44, above reported, was referred to the Judiciary Committee.

By Mr. McGarvey :

MR. PRESIDENT: The Judiciary Committee have had under consideration the message of the Governor, returning Senate Bill No. 45 without his approval, and now report the same back, and recommend that the veto be sustained.

Also, Substitute for Senate Bills Nos. 109 and 293—An Act to amend the Civil Code, concerning the mortgage of growing crops.

And an Act to amend Chapter Two, Article Six, Title Fourteen of the Civil Code—report the same back, and recommend the passage of the substitute.

Also, Senate Bill No. 329—An Act to add a new section to the Penal Code, to be known as section one hundred and seventy-eight, in relation to obtaining divorces—report the same back with amendments, and recommend its passage as amended.

Also, Senate Bill No. 327—An Act to amend section one thousand eight hundred and eighty of the Code of Civil Procedure, relating to witnesses—report the same back with amendments, and recommend its passage as amended.

Also, Senate Bill No. 284—An Act to amend section two thousand two hundred and seventy-four of the Civil Code—report the same back, and recommend its passage as amended.

Also, Senate Bill No. 290—An Act to amend section three thousand four hundred and forty-three of the Political Code—report the same back with amendments, and recommend its passage as amended.

Also, Senate Bill No. 306—An Act to amend section four hundred and eighty-seven of the Penal Code, in relation to the crime of grand larceny—report the same back with amendments, and recommend its passage as amended.

Also, Senate Bill No. 279—An Act to amend section three hundred and fifty-seven of the Penal Code—report the same back with amendments, and recommend its passage as amended.

R. McGARVEY, Chairman.

By Mr. Crane:

MR. PRESIDENT: Having had under consideration Senate Bill No. 354—providing for the collection of business licenses by the Sheriff, instead of the Treasurer—report it back, and recommend its passage.

W. H. CRANE.

Rules suspended, and the bill taken up for consideration.

Considered engrossed, read third time, and passed.

Mr. Curtis, for the delegation, verbally reported, recommending its passage, Assembly Bill No. 428—An Act in relation to the Assessor of the County of Sacramento.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows:

By Mr. Whitney: Senate Bill No. 382—An Act to amend an Act entitled an Act to establish and define the powers and duties of the Board of Education of the City of Petaluma, approved January sixth, A. D. eighteen hundred and seventy-two, and the Acts supplementary thereto and amendatory thereof.

Read first and second times, and ordered on the general file.

By Mr. Fowler: Senate Bill No. 383—An Act to prevent the destruction of fish in King's River.

Read first and second times, and referred to the Committee on Fisheries and Game.

By Mr. Ream: Senate Bill No. 384—An Act for the relief of John Q. Hendricks, Charles Carroll, and R. D. Hubbard.

Read first and second times, and referred to the Committee on Claims.

By Mr. Lambert (by request): Senate Bill No. 385—An Act to amend sections four hundred and seven and four hundred and ten of the Code of Civil Procedure, concerning summons in civil actions.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Murphy of San Luis Obispo: Senate Bill No. 386—An Act to confer further powers on the Common Council of the City of Santa Barbara.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Flint: Senate Bill No. 387—An Act to amend an Act entitled an Act in relation to the county officers of Santa Cruz County, their fees and salaries, approved March thirtieth, eighteen hundred and seventy-six.

Read first and second times, and referred to the Committee on County and County Boundaries.

By Mr. Craig: Senate Bill No. 388—An Act to foster home industries in the publication of text-books, and to maintain the good faith of the State by reestablishing the contract heretofore entered into by

and between A. L. Bancroft & Co. and the State Board of Education of the State of California.

Read first and second times, and referred to the Committee on Education.

By Mr. Lambert: Senate Bill No. 389—An Act to prevent the trespassing of animals upon private property in the County of Yolo.

Read first and second times, and referred to the Judiciary Committee, and ordered printed.

MOTIONS AND RESOLUTIONS.

Mr. Satterwhite offered a resolution, as follows:

Resolved, That the Western Union Telegraph Company be allowed, out of the Contingent Fund of the Senate, the sum of twenty-five dollars and twenty-five cents, for services rendered the Committee on Irrigation.

Adopted.

Mr. Evans, at the request of Senator Lewis (by telegram just received), moved to reconsider the vote whereby Senate Bill No. 51 was indefinitely postponed, on Saturday last, stating that he (Mr. Evans) did not consider it in order to make such a motion, as he had authorities to present to the Senate to prove that such a motion could not be entertained.

On motion of Mr. Evans, the motion was made a special order for Wednesday next, at one o'clock P. M.

GENERAL FILE.

Assembly Bill No. 187—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California.

On motion of Mr. Craig, re-referred to the Judiciary Committee.

Senate Bills Nos. 97, 260, and 166, and Substitute for Senate Bill No. 166, were ordered at the bottom of the file.

Assembly Bill No. 148—An Act fixing the salary of the County Treasurer of the County of Inyo.

Amended.

Read third time, and passed.

Assembly Bills Nos. 191 and 192, passed on file.

Senate Bill No. 1—An Act to establish and maintain free public libraries and reading rooms.

Amended.

Rules suspended, considered engrossed, read third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Coleman, Craig, and Fowler, and it passed by a vote, as follows:

AYES—Messrs. Brown of El Dorado, Craig, Crane, Curtis, Fowler, Goodwin, Haymond, Hilborn, Hill, Howe, Lambert, McCoppin, McGarvey, Murphy of San Luis Obispo, Ream, Satterwhite, Shirley, Smith, and Whitney—19.

NOES—Messrs. Coleman and Searls—2.

Substitute for Senate Bill No. 201—An Act to fix the compensation of the Under Sheriff, Deputy Sheriff, and County Jailors of Alameda County.

Ordered at the bottom of the general file.

Senate Bill No. 308—An Act to amend section three hundred and forty of the Penal Code.

On motion of Mr. Craig, the rules were suspended, the bill taken up out of its order, and re-referred to the Judiciary Committee.

Senate Bill No. 319—An Act to provide for the building of bridges across South and Middle Eel River, in Mendocino County.

Amended

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 339—An Act to amend an Act entitled an Act to create a Board of Auditors for El Dorado County, and fix the powers thereof, approved March thirtieth, eighteen hundred and seventy-four, and the Act amendatory thereof, approved April first, eighteen hundred and seventy-six.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 344—An Act to amend an Act entitled an Act authorizing the Trustees of San Buenaventura School District, Ventura County, to issue bonds for said district for the sum of ten thousand dollars, approved March sixteenth, eighteen hundred and seventy-two.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 309—An Act to add a section to the Political Code.

Mr. Craig moved to make the bill a special order for Friday next, at twelve o'clock M.

Lost.

Mr. Fowler moved that the rules be suspended, and the bill considered engrossed, on which the ayes and noes were demanded by Messrs. Craig, Fowler, and McCoppin, and the motion prevailed by a vote, as follows:

AYES—Messrs. Boyston, Brown of El Dorado, Coleman, Crane, Fowler, Goodwin, Haymond, Hilborn, Hill, McCoppin, McGarvey, Murphy of San Luis Obispo, Ream, Satterwhite, Searls, Shirley, Smith, and Whitney—18.

NOES—Messrs. Craig, Curtis, Flint, Howe, and Lambert—5.

On motion of Mr. Haymond, the bill was made a special order for Wednesday next, at twelve o'clock M.

Senate Bill No. 285—An Act to amend section one thousand seven hundred and seventy of the Political Code, relative to County Boards of Education.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 204, passed on file.

Senate Resolution No. 99—In regard to a cemetery for San Francisco.

Amended so as to make it a joint resolution.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Joint Resolution No. 40—Relative to establishing a mail route from Reno, in the State of Nevada, to Chico, in California.

Read third time, and passed.

Mr. Flint submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, February 18th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 238—An Act to amend an Act entitled an Act to incorporate the City of Nevada, and all Acts supplementary thereto.

Also, Senate Bill No. 332—An Act legalizing the assessment book and delinquent list in Los Angeles County.

Also, Senate Bill No. 277—An Act to amend sections three thousand eight hundred and fifty-seven and three thousand eight hundred and fifty-eight of the Political Code.

Also, Senate Bill No. 288—An Act to amend an Act entitled an Act to provide for the location, construction, and maintenance of public roads in the County of Nevada, approved March twenty-first, eighteen hundred and seventy-two.

Also, Senate Bill No. 89—To amend section nine of an Act entitled an Act to separate the office of County Clerk, and regulate the salaries of certain officers of the County of Merced, approved March twenty-sixth, eighteen hundred and seventy-four.

Also, Senate Bill No. 274—An Act to amend section one thousand one hundred and sixty of the Civil Code.

Also, Senate Bill No. 281—An Act to add a new section to the Penal Code, in relation to the adulteration of candies.

Also, Senate Bill No. 282—An Act to amend section two thousand and eighty-four of the Code of Civil Procedure, in relation to proceedings to perpetuate testimony.

Also, Senate Bill No. 239—An Act to consolidate certain funds, and to create therefrom a permanent endowment for the University of California, of which the interest only shall be used by the Board of Regents to meet current expenses.

FLINT, for the Committee.

SPECIAL ORDER—ONE O'CLOCK P. M.

The message of the Governor, returning Senate Bill No. 45—An Act to amend an Act entitled an Act authorizing the Trustees of the San Buenaventura School District of the County of Santa Barbara, in this State, to issue bonds for said district for the sum of ten thousand dollars—without his approval, for reasons set forth in said message, entered upon the Journal of Wednesday, February thirteenth.

The question being, "Shall the bill become a law, notwithstanding the objections of the Governor?" the roll was called, and the Senate refused to so pass the bill by a vote, as follows:

AYES—None.

NOES—MESSRS. Boyston, Brown of El Dorado, Coleman, Crane, Flint, Fowler, Goodwin, Haymond, Hilborn, Hill, Howe, Lambert, McCarthy, McCoppin, McGarvey, Ream, Searls, Shirley, Smith, and Whitney—20.

SPECIAL ORDER—ONE O'CLOCK P. M.

Senate Bill No. 293—An Act to amend Chapter Two, Article Six, Title Fourteen of the Civil Code.

And Senate Bill No. 109—An Act to amend the Civil Code, concerning the mortgage of growing crops.

On motion of Mr. Hilborn, the substitute for the bills was ordered printed, and made a special order for Wednesday next, at one o'clock P. M.

Mr. Smith (by leave) offered a resolution, as follows:

Resolved, That the appointment of local representatives to the Constitutional Convention should be made on the basis of the proportion borne by the local vote, at the election of September fifth, eighteen hundred and seventy-five, to the aggregate vote at said election.

On motion of Mr. Smith, the resolution and a tabulated statement accompanying the same was referred to the Judiciary Committee.

By Mr. Haymond:

Resolved, That David Maddox be and he is hereby allowed the sum of fifteen dollars for services rendered as Mail Carrier for the Senate, from the third up to and including the seventh day of December, eighteen hundred and seventy-seven, the same to be paid out of the Contingent Fund of the Senate.

Adopted.

GENERAL FILE RESUMED.

Substitute for Senate Bill No. 58—An Act to fix the fees of Justices of the Peace in and for the County of Contra Costa.

Substitute adopted.

Amended, by inserting Butte and Lassen Counties.

Rules suspended, considered engrossed, read third time, and passed.

Title amended to conform to the amendment to the bill.

Substitute for Senate Bill No. 142—An Act to amend sections three hundred and ninety-two, three hundred and ninety-three, three hundred and ninety-five, three hundred and ninety-six, and three hundred and ninety-seven of the Code of Civil Procedure.

Substitute adopted.

Amended.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 276—An Act to protect canals, ditches, flumes, and reservoirs.

Amended.

Rules suspended, considered engrossed, read third time, and passed.

Substitute for Senate Bill No. 236—An Act to add a section to the Penal Code, to be known as section three hundred and eighteen.

Substitute adopted.

Amended.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 179—An Act to repeal sections six hundred and sixty-six, six hundred and sixty-seven, and six hundred and sixty-eight of the Penal Code.

Re-referred to the Judiciary Committee, on motion of Mr. Haymond.

Senate Bill No. 304—An Act legalizing the State and county tax and assessments in the County of Nevada in eighteen hundred and seventy-seven and eighteen hundred and seventy-eight.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Bill No. 212—An Act relative to Justices' fees, and amendatory of an Act approved April fourth, eighteen hundred and seventy, entitled an Act to regulate fees of office, approved March sixth, eighteen hundred and seventy.

Read third time, and passed.

Senate Bill No. 314—An Act to amend the Code of Civil Procedure, in relation to attachments.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 318—An Act to amend section three hundred and seventy-two of the Code of Civil Procedure.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 335—An Act to amend section one hundred and seventy-seven of the Code of Civil Procedure.

Amended.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 336—An Act to amend section one thousand seven hundred and nine of the Code of Civil Procedure.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 342—An Act to legalize a tax for building a school house in the New York School District, in Contra Costa County.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Bill No. 336—An Act relative to the Assessor's office of El Dorado County.

Amended.

Read third time, and passed.

Senate Bill No. 330—An Act amendatory to an Act entitled an Act to amend an Act entitled an Act to revise and amend an Act entitled an Act to incorporate the Town of Grass Valley, approved April fifteenth, eighteen hundred and sixty-one, approved February sixth, eighteen hundred and sixty-four, approved March twenty-fourth, eighteen hundred and seventy-six.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 315—An Act to incorporate the Town of Etna, Siskiyou County, California.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Bill No. 329.

Re-referred to the San Francisco delegation.

Senate Bill No. 317 and Assembly Bill No. 90.

Passed on file.

Assembly Joint Resolution No. 11—Relative to encouragement of rifle practice in the army of the United States, and militia of the several States.

Amendments adopted.

Read third time, and passed.

Senate Bill No. 129—An Act to add a new section to the Political Code, to be known as section one thousand nine hundred and forty-one.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 115—An Act to confer additional powers on the Board of Supervisors of the City and County of San Francisco, to provide for the opening of Serpentine Avenue, and the condemnation of private property therefor.

Rules suspended, considered engrossed, read third time, and passed.

Title amended.

Assembly Bill No. 128—An Act to regulate the quality and standard illuminating power and the price of gas, in all cities within the State of California, having a population of one hundred thousand or more.

Mr. McCoppin offered amendments, as follows:

Amend section two by inserting, after the word "city," in line —, the words "or elsewhere."

Adopted.

Amend section three by adding, after the word "time," in line —, the words "not oftener than once every year."

Adopted.

Amend section four by inserting, after the word "inspect," in line —, the following words: "within one mile of the intersection of Market, Third, and Kearny Streets."

Adopted.

Also, after the word "any," strike out the word "member," and insert in lieu thereof the word "committee."

Adopted.

Amend section five by adding, after the word "every," in line —, the word "willful."

Adopted.

Mr. Craig offered an amendment, as follows:

Strike out "three dollars," in section one, and insert "two dollars and fifty cents."

Lost.

Read third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Craig, Howe, and McCoppin. The roll was called, with the following result:

AYES—Messrs. Brown of El Dorado, Coleman, Curtis, Flint, Fowler, Haymond, Hilborn, Hill, Howe, McCoppin, Ream, Searls, Shirley, Smith, and Whitney—15.

NOES—Messrs. Boyston, Craig, Goodwin, and McCarthy—4.

No quorum voting.

At two o'clock and forty minutes P. M., Mr. Craig moved to adjourn.

Lost.

CALL OF THE SENATE.

Mr. Fowler moved a call of the Senate.

Carried.

ABSENTEES

The roll was called, and the following Senators were found absent without leave of the Senate: Messrs. Bones, Brown of Amador, Crane, Lambert, McGarvey, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, and Satterwhite.

Senators McGarvey and Lambert appeared, and offered excuses for their being absent without leave, and were excused.

On motion of Mr. Hilborn, all proceedings under the call, affecting Mr. Satterwhite, were dispensed with.

On motion of Mr. Curtis, further proceedings under the call were dispensed with.

Assembly Bill No. 128 resumed.

The roll was again called, on the passage of the bill, resulting as follows:

AYES—Messrs. Brown of El Dorado, Coleman, Craig, Curtis, Flint, Fowler, Goodwin, Haymond, Hilborn, Hill, Howe, Lambert, McCoppin, Ream, Searls, Shirley, Smith, and Whitney—18.

NOES—Messrs. Boyston and McCarthy—2.

Mr. Craig gave notice that on to-morrow he would move to reconsider the vote by which the bill passed, which subsequently (by leave) was withdrawn.

Mr. McCoppin moved to reconsider the vote by which the bill passed.

The motion prevailed by unanimous consent.

Mr. McCoppin offered the following:

I move that Assembly Bill No. 128 be re-committed to the San Francisco delegation, with special instructions to strike out the amendment to section four, which is in the following words: "Within one mile of the junction of Kearny, Market, and Third Streets," and report the same back to-morrow.

Carried.

GENERAL FILE RESUMED.

Assembly Bill No. 124—An Act for the relief of John Rierdon, B. H. Kenney, Patrick Donahue, and W. B. Jourden.

Mr. Hilborn moved to recommit the bill to the Judiciary Committee, on which the ayes and noes were demanded by Messrs. Donovan, Howe, and Rogers, and the motion prevailed by a vote, as follows:

AYES—Messrs. Bones, Coleman, Curtis, Flint, Hilborn, Hill, Lambert, Murphy of San Luis Obispo, Murphy of Santa Clara, Ream, Satterwhite, Searls, Shirley, Smith, and Whitney—15.

NOES—Messrs. Boyston, Craig, Donovan, Fowler, Howe, McCarthy, McCoppin, Pierson, and Rogers—9.

At three o'clock and twenty-five minutes P. M., Mr. Fowler moved to adjourn.

On which the ayes and noes were demanded by Messrs. Fowler, Howe, and McGarvey, and the Senate refused by a vote, as follows:

AYES—Messrs. Boyston, Craig, Fowler, Hilborn, Howe, McCarthy, McCoppin, McGarvey, Satterwhite, and Whitney—10.

NOES—Messrs. Bones, Brown of El Dorado, Coleman, Curtis, Dean, Donovan, Flint, Goodwin, Haymond, Hill, Lambert, Murphy of San Luis Obispo, Murphy of Santa Clara, Pierson, Ream, Rogers, Searls, Shirley, and Smith—19.

Assembly Bill No. 203—An Act to amend an Act entitled an Act to provide for the Police Contingent Fund, approved February twenty-eighth, eighteen hundred and fifty-nine.

Read third time, and passed.

Assembly Bill No. 184, and Senate Bill No. 310, passed on file.

Senate Bill No. 367—An Act to ratify and confirm the acts of the Mayor and Common Council of the City of San José.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Bill No. 235—An Act to amend an Act entitled an Act concerning roads and highways in the County of Placer, approved March twenty-third, eighteen hundred and seventy-six.

Read third time, and passed.

ADJOURNMENT.

At three o'clock and thirty-five minutes P. M., on motion of Mr. Craig, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
TUESDAY, February 19th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bones, Boyston, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCoppin, McGarvey, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

The Journal of yesterday not read, and approved on motion of Mr. Lambert.

PETITIONS.

Mr. Coleman presented a communication from the managers of the Roman Catholic Orphan Asylum of Grass Valley, Nevada County, asking for the same appropriations for the support of orphan asylums that were made by the last Legislature.

Received, and referred to the Committee on Finance.

REPORTS.

Reports were submitted, as follows:

By Mr. McGarvey:

TUESDAY, February 19th, 1878.

MR. PRESIDENT: The Judiciary Committee have had under consideration Senate Bill No. 180—An Act for the relief of John Hoagland et al.—and report the same back with a substitute, and recommend the passage of the substitute.

Also, Assembly Bill No. 221—An Act to ratify and confirm a contract made by the City of Monterey—report the same back, and a majority recommend that it do not pass.

Also, Senate Bill No. 235—An Act to confer additional powers on the Board of Supervisors of Contra Costa County—report the same back, and recommend that it do not pass.

Also, Assembly Bills Nos. 207 and 237—An Act concerning trespass of animals upon private lands in certain counties in the State of California; and an Act to protect agriculture, and to provide for the distraining of trespassing animals in the County of Los Angeles—report the same back, with the recommendation that they be referred to the delegation of the counties affected by them.

R. MCGARVEY, Chairman.

Assembly Bills Nos. 207 and 237, above reported, were referred to the delegation requested.

By Mr. Murphy of Santa Clara:

MR. PRESIDENT: The Santa Clara delegation, to whom was referred Senate Bill No. 378—An Act to amend an Act entitled an Act in relation to the county officers of Santa Clara County, their fees and salaries, approved February tenth, eighteen hundred and seventy-six—would respectfully report the same back, and recommend its passage.

Also, Senate Bill No. 380—An Act concerning the Santa Clara Avenue, and certain public lands of the City of San José, in the County of Santa Clara—would report the same back, and recommend its passage.

Also, Senate Bill No. 379—An Act to amend an Act entitled an Act to re-incorporate the City of San José, approved March seventeenth, eighteen hundred and seventy-four—would report the same back, and recommend its passage.

MURPHY, for the Delegation.

By Mr. Donovan:

SENATE CHAMBER,
SACRAMENTO, February 19th, 1878. }

MR. PRESIDENT: The San Francisco delegation, to whom was referred Senate Bill No. 202—An Act for the relief of Edward C. Kerby and John Burke—have had the same under consideration, report the same back, and recommend passage of accompanying substitute.

Also, Senate Bill No. 256—An Act conferring further powers upon the Board of Supervisors of the City and County of San Francisco—have had the same under consideration, report it back, and recommend its passage.

Also, Senate Bill No. 140—An Act to repeal an Act for the appointment of Inspector of Stationary Steam-boilers and Steam-junks, and for the better security of life and property in the City and County of San Francisco—have had the same under consideration, report it back, and recommend its passage.

DONOVAN, for the Delegation.

GOVERNOR'S MESSAGE.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
SACRAMENTO, February 18th, 1878. }

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bills No. 40—An Act to ratify certain Acts and proceedings of the Council of Los Angeles.

No. 68—An Act to amend an Act in relation to the care of orphans and abandoned children, approved March seventh, eighteen hundred and seventy-four.

Substitute for Senate Bills Nos. 90, 75, and 173—An Act supplementary to an Act entitled an Act to provide for the completion of the building in the City and County of San Francisco, known as the new City Hall, approved March twenty-fourth, eighteen hundred and seventy-six.

No. 93—An Act to authorize the Board of State Harbor Commissioners to pay the claim of Sheldon and Graves.

No. 130—An Act to extend the time in which John Blair, Thomas Alderson, Truman Wilcox, L. A. Garnett, Thomas Price, and F. A. Bishop, their associates and assigns, shall complete the construction of a raceway through the City of Placerville.

No. 139—An Act entitled an Act to amend an Act concerning agricultural societies, approved March twelfth, eighteen hundred and fifty-nine.

No. 145—An Act to pay the claim of the County of Sacramento.

No. 106—An Act to repeal an Act entitled an Act restricting the herding of sheep to certain pastures in the Counties of Sonoma and Marin, passed April twenty-first, eighteen hundred and fifty-seven, and the Acts amendatory thereof, so far as they relate to the Counties of Mendocino and Humboldt.

No. 146—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Mayor, Auditor, and Treasurer thereof, and to authorize certain appropriations of money by said Board.

No. 159—An Act to amend section six of an Act entitled an Act to re-incorporate the Town of Woodland, approved March twenty-fourth, eighteen hundred and seventy-four.

No. 192—An Act to amend an Act entitled an Act to prevent hogs and goats running at large on certain lands in this State, approved March thirty-first, eighteen hundred and seventy-six.

No. 220—An Act to repeal an Act entitled an Act to prevent hogs from running at large in the Towns of Red Bluff and Tehama.

No. 261—An Act making an appropriation to pay the expenses of Presidential Electors.

WILLIAM IRWIN, Governor.

ASSEMBLY MESSAGES.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER, }
SACRAMENTO, February 18th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the sixteenth day of February, A. D. eighteen hundred and seventy-eight, passed Senate Bill No. 370—An Act to authorize and require the Board of Supervisors of San Joaquin County to allow a claim of S. G. S. Dunbar, and to authorize and empower the Auditor of said county to draw a warrant therefor, and to authorize the Treasurer of said county to pay the same.

And on the fifteenth day of February, passed Assembly Bill No. 146—An Act to amend the Political Code of this State.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER, }
SACRAMENTO, February 18th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the fifteenth day of February, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 82—An Act to increase the number of Supervisors in the City and County of San Francisco, and the manner of electing the same.

Also, Assembly Bill No. 119—An Act to provide for and regulate the establishment and collection of water rates in cities and towns with more than one hundred thousand inhabitants, and to prevent extortionate and unlawful charges for the use of water therein, and to punish persons guilty thereof.

Also, Assembly Bill No. 46—An Act to amend certain sections of the Political Code, to repeal certain other sections, and to add new sections thereto.

Also, amended and passed Senate Bill No. 116—An Act to define the powers of the Board of Supervisors of the City and County of San Francisco, with reference to contracts.

Also, passed Senate Bill No. 267—An Act to regulate and limit the payment of money out of the treasury of the City and County of San Francisco.

Also, Senate Bill No. 91—An Act to authorize the Board of Supervisors of Solano County to erect a fire-proof building, for the protection of the records and papers in the offices of the County Clerk and County Recorder of said county.

Also, Senate Joint Resolution No. 20—Relative to streets adjoining the Point San José Reservation.

Also, Senate Joint Resolution No. 18—Relative to desert lands.

Also, Senate Joint Resolution No. 19—In reference to the Presidio Reservation.

Also, Senate Joint Resolution No. 9—In relation to the stone dry dock at Mare Island.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,

SACRAMENTO, February 19th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the sixteenth day of February, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 295—An Act to fix the amount of the bond of the Tax Collector of Marin County.

Also, Assembly Bill No. 302—An Act to amend certain sections of the Political Code, relative to the school law of California.

Also, Assembly Bill No. 490—An Act to provide for the payment of certain claims against the County of Santa Cruz.

Also, Assembly Bill No. 147—An Act to authorize the Board of Supervisors of the County of Plumas to refund certain taxes.

Also, Assembly Joint Resolution No. 28—Relative to increased mail services in Santa Barbara County.

Also, Assembly Joint Resolution No 23—Relative to passage of a bill by Congress levying a per capita tax on Chinese.

And, on this eighteenth day of February, concurred in Senate amendments to Assembly Bill No. 267.

Also, passed Assembly Bill No. 177—An Act to aid in the construction of a railroad from the City of Eureka, in Humboldt County, California, to Eel River Valley, in said county.

Also, amended and passed Senate Bill No. 32—An Act to amend section six hundred and sixty-three of the Code of Civil Procedure.

Also, passed Senate Bill No. 42—An Act to amend section one hundred and thirteen of the Code of Civil Procedure, so as to change the time for the election of Justices of the Peace.

Also, Senate Bill No. 49—An Act to amend section one thousand six hundred and twenty-four of the Civil Code.

Also, amended and passed Senate Bill No. 375—An Act making an appropriation to pay expenses of Presidential Electors.

Also, that the Assembly refused to recede from the amendment to Senate Bill No. 104—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor, Treasurer, and Superintendent of Public Streets, Highways, and Squares thereof, and to authorize an appropriation of money by said Board.

And the Speaker appointed, as a committee of conference, on part of the Assembly, Messrs. Gough, Connolly, and Conroy.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bills Nos. 82, 119, 295, 470, and 147, above reported.

Each read first and second times, and referred to the delegation named in the bill.

Assembly Bill No. 46, above reported.

Read first and second times, and referred to the Committee on Finance and Claims.

Assembly Bill No. 302, above reported.

Read first and second times, and referred to the Committee on Education.

Assembly Joint Resolutions Nos. 28 and 23, above reported.

Read first and second times, and referred to the Committee on Federal Relations.

Assembly Bill No. 177, above reported.

Read first and second times, and referred to the Committee on Corporations.

Assembly Bill No. 146, above reported.

Read first and second times, and referred to the Judiciary Committee.

Senate Bills Nos. 116 and 32, above reported.

Assembly amendments concurred in.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows:

By Mr. Lewis: Senate Bill No. 390—An Act supplementary to and amendatory of an Act entitled an Act to incorporate the Town of Red Bluff, Tehama County, California, approved March thirty-first, eighteen hundred and seventy-six.

Read first and second times, and ordered on the general file.

By Mr. Rogers (by request): Senate Bill No. 391—An Act to authorize Loren Coburn, his associates and assigns, to construct, maintain, and keep a wharf at Pigeon Point, County of San Mateo, California.

Read first and second times, and referred to the Committee on Commerce and Navigation.

By Mr. Murphy of Santa Clara: Senate Bill No. 392—An Act to amend an Act entitled an Act concerning streams in the County of Santa Clara, approved March twenty-eighth, eighteen hundred and seventy-two.

Read first and second times, and referred to the delegation from Santa Clara County.

Also, Senate Bill No. 393—An Act to authorize the Board of Supervisors of the County of Santa Clara to issue bonds in payment of certain indebtedness.

Read first and second times, and ordered on the general file.

By Mr. Shirley: Senate Bill No. 394—An Act to provide a system for obtaining school books for California, and to amend sections one thousand five hundred and twenty-one, one thousand eight hundred and seventy-four, and one thousand eight hundred and seventy-five of the Political Code, relating thereto.

By Mr. Donovan: Senate Bill No. 395—An Act to amend an Act entitled an Act to provide for the support of the common schools of the City and County of San Francisco, and to define the powers and duties of the Board of Education thereof, approved April first, eighteen hundred and seventy-two.

Each of the above bills read first and second times, and referred to the Committee on Education.

By Mr. Boyston: Senate Bill No. 396—An Act to amend an Act entitled an Act to regulate practice in the Supreme Court, approved March sixteenth, eighteen hundred and seventy-two, and to add three sections to the Code of Civil Procedure, to be known as sections fifty-one, fifty-two, and fifty-three.

By Mr. Pierson: Senate Bill No. 397—An Act to add another section to the Code of Civil Procedure, to be known as section four hundred and seventeen.

Each of the above bills read first and second times, and referred to the Judiciary Committee.

By Mr. Smith: Senate Bill No. 398—An Act to provide for the building of a school house in Anaheim School District, in the County of Los Angeles, State of California.

Read first and second times, and, with a memorial accompanying the same, referred to the Committee on Education.

Also, Senate Bill No. 399—An Act to appropriate money to assist in the purchase of land, and the construction of buildings thereon, in the County of Los Angeles, to be used as a county hospital and farm.

Read first and second times, and referred to the Committee on Finance.

By Mr. Fowler: Senate Bill No. 400—An Act to authorize the Board of Examiners to purchase certain portraits of Pebbles and Baldwin.

Read first and second times, and referred to the Committee on Finance and Claims.

By Mr. Bones: Senate Joint Resolution No. 38—Respecting fraudulent Mexican land claims, and fraudulent or erroneous surveys.

Read first and second times, and referred to the Judiciary Committee.

Mr. Ream submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, February 19th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 349—An Act in relation to the public printing in the Town of Alameda.

Also, Senate Joint Resolution No. 35—In reference to an appropriation for arming and equipping the militia.

Also, Senate Bill No. 366—An Act to change the corporate name of the Mission Street Methodist Episcopal Church, in the City and County of San Francisco.

Also, Senate Bill No. 270—To authorize certain payments by the Board of State Harbor Commissioners.

Also, Senate Bill No. 299—An Act to amend section seven hundred and ninety-one of the Political Code.

Also, Senate Bill No. 141—An Act to amend section two thousand five hundred and fifty-two of an Act to amend an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two, and to add a certain new section thereto, approved February twenty-eighth, eighteen hundred and seventy-six.

Also, Substitute for Senate Bill No. 209—An Act amendatory to an Act to provide for the maintenance and construction of railroads and highways in the County of Mariposa, approved March thirty-first, eighteen hundred and seventy-six.

Also, Senate Bill No. 370—An Act to authorize and require the Board of Supervisors of San Joaquin County to allow a claim of S. G. S. Dunbar, and to authorize and require the Auditor of said county to draw a warrant therefor, and to authorize and require the Treasurer of said county to pay the same.

D. REAM, Chairman.

MOTIONS, RESOLUTIONS, AND NOTICES.

On motion of Mr. Craig, Senate Bill No. 338 was ordered returned from the State Printer.

Mr. Craig gave notice that he would, on or before the twenty-sixth day of February, A. D. eighteen hundred and seventy-eight, introduce an Act for the relief of the poor, and to prevent extortion in the performance of night-work in the State of California, and to further compel the issuance of licenses to persons desirous of carrying on such work.

Mr. Donovan, for the San Francisco delegation, verbally reported Assembly Bill No. 128—An Act to regulate the quality and standard illuminating power, and the price of gas, in all cities within the State of California having a population of one hundred thousand or more—amended by striking out within one mile of the junction of Kearny, Market, and Third Streets, in accordance with special instructions.

The report was adopted, and such amendment agreed to.

The bill was taken up for further consideration, by general consent.

Mr. Murphy of San Francisco moved to re-commit to the Com-

mittee of the Whole, with special instructions to strike out the word willful, the amendment to section five.

SPECIAL ORDER—SET FOR TWELVE O'CLOCK M.

Senate Joint Resolution No. 27 was temporarily postponed.

Mr. Murphy of Santa Clara offered the following as special instructions to Assembly Bill No. 128:

Strike out all after the word "further," in section one, line seventeen, and insert the words "that no person, company, or corporation, shall fix or establish the rate or price of gas so furnished to such city or its inhabitants, at any greater price or rate than three dollars per thousand cubic feet."

On which the ayes and noes were demanded by Messrs. Murphy of San Francisco, Donovan, and McCoppin, and the Senate refused to adopt by a vote, as follows:

AYES—Messrs. Coleman, McCarthy, McGarvey, Murphy of San Luis Obispo, and Murphy of Santa Clara—5.

NOES—Messrs. Bones, Brown of El Dorado, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Hilborn, Hill, Howe, Lambert, Lewis, McCoppin, Murphy of San Francisco, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, and Smith—25.

Mr. Craig offered an amendment, as special instructions:

Amend by striking out "no higher rate than three dollars," and insert "no higher rate than two dollars and fifty cents."

On which the ayes and noes were demanded by Messrs. Pierson, McCoppin, and Craig, and the Senate refused to so adopt the amendment by a vote, as follows:

AYES—Messrs. Boyston, Brown of El Dorado, Craig, Crane, McCarthy, and Pierson—6.

NOES—Messrs. Bones, Coleman, Curtis, Dean, Donovan, Flint, Fowler, Goodwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCoppin, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Ream, Rogers, Satterwhite, Searls, Shirley, and Smith—24.

The motion made by Mr. Murphy of San Francisco to refer the bill to the Committee of the Whole to amend, was now agreed to.

The bill was reported from the Committee of the Whole, amended by striking out the word "willful," in section five, and the same concurred in.

The bill was then passed, and ordered to the Assembly forthwith.

On motion of Mr. Haymond, the author of the bills, and by general consent, Senate Bills Nos. 143, 194, 36, and 167, were withdrawn from further consideration of the Senate.

ASSEMBLY MESSAGE.

The following message from the Assembly was taken up.

ASSEMBLY CHAMBER.

SACRAMENTO, February 19th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, adopted Assembly Concurrent Resolution No. 52—Relative to correcting error in Assembly Bill No. 269.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Concurrent Resolution No. 52, above reported.

Concurred in.

Special order set for twelve o'clock M., was now taken up.

Senate Joint Resolution No. 27—Relative to trans-continental railroads.

Amended.

Rules suspended, considered engrossed, read third time, and passed.

GENERAL FILE.

Assembly Bill No. 191—An Act relative to certain duties of Constables in the several townships of the County of Alameda.

Read third time, and passed.

Assembly Bill No. 192—An Act relative to executions from Courts of Justices of the Peace of the several townships of the County of Alameda.

Read third time, and passed.

Senate Bill No. 260—An Act to amend certain sections numbers one thousand three hundred and fifty, one thousand three hundred and sixty-five, one thousand three hundred and sixty-eight, one thousand three hundred and sixty-nine, and one thousand three hundred and seventy-nine of the Code of Civil Procedure.

Amendment adopted.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bills Nos. 204 and 317 passed on file.

Assembly Bill No. 90—An Act to regulate the use of artesian wells, and to prevent the waste of subterranean waters in this State.

On motion of Mr. McGarvey, the bill, with pending amendments, was referred to the Los Angeles and Santa Clara delegations.

Assembly Bill No. 184—An Act to amend an Act entitled an Act repealing article four of an Act entitled an Act to repeal the several charters of the City of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved the nineteenth day of April, eighteen hundred and fifty-six, and all Acts and parts of Acts amendatory thereof and supplementary thereto, and substituting this Act for said article four, approved April first, eighteen hundred and seventy-two.

Read third time, and passed.

Senate Bill No. 310—An Act to increase the appropriations for the support of the hospital and alms-house of the City and County of San Francisco.

Reported from the Committee of the Whole, with the following amendment, offered by Mr. McCoppin:

Amend section one by striking out the whole of the second subdivision.

On the adoption of the amendment, the ayes and noes were demanded by Messrs. McCoppin, Craig, and Nunan, and the amendment was rejected by a vote, as follows:

AYES—Messrs. Bones, Boyston, Curtis, Goodwin, McCoppin, Murphy of Santa Clara, Satterwhite, Seals, and Smith—9.

NOES—Messrs. Brown of El Dorado, Coleman, Craig, Crane, Dean, Evans, Flint, Hilborn, Hill, Howe, Lewis, McCarthy, Murphy of San Francisco, Murphy of San Luis Obispo, Nunan, Pierson, Ream, Rogers, and Whitney—19.

Rules suspended, considered engrossed, read third time, and passed.
Senate Bill No. 244—An Act to provide for the payment by the State of California of the costs of certain criminal actions.

Amendments concurred in.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 382—An Act to amend an Act entitled an Act to establish and define the powers and duties of the Board of Education of the City of Petaluma, approved January sixth, eighteen hundred and seventy-two, and the Acts supplementary thereto and amendatory thereof.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Bill No. 67—An Act for the relief of Julius Blume.

Reported from Committee of the Whole.

Passage recommended.

Read third time, and passed.

Assembly Bill No. 109—An Act to authorize the Controller and Treasurer of State to transfer certain funds.

And, Assembly Bill No. 98—An Act making appropriations for deficiencies in the twenty-seventh, twenty-eighth, and twenty-ninth fiscal years.

Each bill reported from the Committee of the Whole, and passage recommended.

Each read third time, and passed.

ADJOURNMENT.

At two o'clock and twenty-five minutes P. M., on motion of Mr. Hilborn, the Senate adjourned.

IN SENATE.

SENATE CHAMBER.

WEDNESDAY, February 20th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bones, Boyston, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McOppin, McGarvey, Murphy of San Francisco, Murphy of San Luis Obispo, Nunan, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

The Journal of yesterday read and approved.

PETITIONS.

The President of the Senate presented a communication from Professor Davidson, transmitting documents relating to the publication of material of the late geological survey.

Received, and referred to the Committee on Claims.

Mr. Hill presented a petition from citizens of Napa County, relating to the protection of game and fish.

Received, and referred to the Committee on Game and Fisheries.

REPORTS.

Reports were submitted, as follows :

By Mr. McGarvey :

WEDNESDAY, February 20th, 1878.

MR. PRESIDENT: The Judiciary Committee, to whom was referred Senate Substitute for Assembly Bill No. 41—An Act to repeal certain Acts in relation to the terms of the County and Probate Courts in certain counties, and to amend sections eighty-eight and ninety-nine of the Code of Civil Procedure—report the same back, with the instructions of the Senate complied with.

Also, Senate Bill No. 205—An Act granting relief to taxpayers whose lands have been sold to the State—report the same back, with amendments, and recommend its passage as amended.

R. MCGARVEY, Chairman.

By Mr. Hill :

MR. PRESIDENT: The Committee on Agriculture, to whom was referred Senate Bill No. 353—An Act for the encouragement of agriculture and other industries—have had the same under consideration—and herewith report the same back, with a substitute, and majority recommend the passage of the substitute.

HILL, Chairman.

By Mr. Flint :

MR. PRESIDENT: The San Benito delegation, to whom was referred Senate Bill No. 162—having had the same under consideration, report the same back, recommending its passage.

FLINT, for Delegation.

Also :

MR. PRESIDENT: The Santa Cruz delegation, to whom was referred Assembly Bill No. 470—An Act to provide for the payment of certain claims against the County of Santa Cruz—having had the same under consideration, asks leave to report the same back, recommending its passage.

FLINT, for Delegation.

By Mr. Nunan :

MR. PRESIDENT: The San Francisco delegation, to whom was referred Senate Bill No. 210—An Act concerning certain street contracts in San Francisco—have had the same under consideration, report it back, and recommend its passage as amended.

Also, Senate Bill No. 305—An Act to authorize certain appropriations of money by the Board of Supervisors of the City and County of San Francisco—have had the same under consideration, report it back, and recommend its passage as amended.

E. NUNAN, Chairman.

Mr. Smith, for the delegation, reported, with amendments, with its passage recommended as amended, Assembly Bill No. 237—An Act to protect agriculture, and to provide for the distraining of trespassing animals, in the Counties of Los Angeles and Stanislaus.

Rules suspended, and the bill taken up for consideration.

Amendments concurred in.

Read third time, and passed.

Title amended.

Mr. Shirley, for the delegation, verbally reported, recommending its passage, Assembly Bill No. 295—An Act to fix the amount of the bonds of the Tax Collector of Marin County.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

ASSEMBLY MESSAGES.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, February 19th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, concurred in Senate amendments to Assembly Bill No. 148, Assembly Bill No. 336, and Assembly Joint Resolution No. 11.

Also, concurred in Senate Concurrent Resolution No. 36—In relation to printing the statutes of this session.

Also, passed Senate Bill No. 332—An Act legalizing the assessment book and delinquent list in Los Angeles County.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, February 20th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the eighteenth day of February, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 233—An Act to amend section one thousand seven hundred and fifty of the Political Code, in regard to the issuance of certificates without examination.

Passed Assembly Bill No. 264—An Act to amend section one thousand seven hundred and thirteen of the Political Code.

Passed Assembly Bill No. 83—An Act to prohibit piece clubs, and to prevent extortions from candidates for office.

Passed Assembly Bill No. 182—An Act to prevent the circulation of bogus election tickets, and to prevent fraud upon voters.

And, on the nineteenth day of February, indefinitely postponed Senate Bill No. 172—An Act for the relief of Richard H. Stretch.

And passed Senate Bill No. 151—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof.

Passed Senate Bill No. 229—An Act to establish the grade of Seventh Street, between Bryant and Brannan Streets, in the City and County of San Francisco.

Passed Senate Bill No. 287—An Act for the relief of Charles Dakes, J. D. Billingsley, D. Mallock, William Kincaid, Stacy Taylor, A. M. Abbey, and M. S. Merrill, all of the County of Tulare.

And passed Senate Bill No. 161—An Act regulating the powers of the Board of Supervisors of the County of Placer.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bills Nos. 233 and 264, above reported.

Each read first and second times, and referred to the Committee on Education.

Assembly Bill No. 83, above reported.

Read first and second times, and referred to the San Francisco delegation.

Assembly Bill No. 182, above reported.

Read first and second times, and referred to the Judiciary Committee.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows:

By Mr. Flint: Senate Bill No. 401—An Act entitled an Act to legalize the assessment and levy of taxes in the County of Santa Cruz.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Haymond: Senate Bill No. 402—An Act to amend an Act entitled an Act regulating the sale of mineral lands belonging to the State, approved March twenty-eighth, eighteen hundred and seventy-four.

Read first and second times, and referred to the Committee on Mines and Mining.

By Mr. Donovan, for the Building Committee: Senate Bill No. 403—An Act to confer further powers on the Board of Directors of the California Institution for the Deaf, the Dumb, and the Blind.

Read first and second times.

Rules suspended, and the bill taken up for consideration.

Ordered engrossed.

By Mr. Murphy of San Luis Obispo: Senate Bill No. 404—An Act to amend an Act entitled an Act fixing the salaries and the compensation of certain officers of San Luis Obispo County, approved March thirty-first, eighteen hundred and seventy-six.

Read first and second times, and referred to the San Luis Obispo delegation.

GENERAL FILE.

Senate Bill No. 270—An Act to authorize certain payments by the Board of State Harbor Commissioners.

Read third time, and passed.

Senate Bill No. 299—An Act to amend section seven hundred and ninety-one of the Political Code.

Read third time, and passed.

Senate Bill No. 204—An Act to pay the claim of Mary M. Springer, widow and heir of Thomas A. Springer, late State Printer, deceased.

Amendments from the Committee of the Whole concurred in.

Mr. Murphy of San Francisco moved a suspension of the rules, that the bill be considered engrossed, and placed on its final passage.

On which the ayes and noes were demanded by Messrs. Smith, Craig, and Satterwhite, and the motion prevailed by a vote, as follows:

AYES—Messrs. Bones, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lewis, McCarthy, McCoppin, McGarvey, Murphy of San Francisco, Murphy of San Luis Obispo, Nunan, Searls, Shirley, and Whitney—28.

NOES—Messrs. Crane, Ream, Rogers, Satterwhite, and Smith—5.

Read third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Satterwhite, Murphy of San Francisco, and Ream, and it passed by a vote, as follows:

AYES—Messrs. Bones, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, McCarthy, McCoppin, McGarvey, Murphy of San Francisco, Nunan, Searls, Shirley, and Whitney—26.

NOES—Messrs. Crane, Lewis, Ream, Rogers, Satterwhite, and Smith—6.

Senate Bill No. 317—An Act to confirm the title to certain property on the water front in the City and County of San Francisco.

Amended.

Rules suspended, considered engrossed, read third time, and passed.

Mr. McCarthy submitted a report, as follows:

SENATE CHAMBER.

SACRAMENTO, February 19th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Joint Resolution No. 19—In reference to the Presidio Reservation.

Also, Senate Joint Resolution No. 20—Relative to streets adjoining the Point San José Reservation.

Also, Senate Bill No. 267—An Act to regulate and limit the payment of money out of the treasury of the City and County of San Francisco.

Also, Senate Joint Resolution No. 9—In relation to the stone dry dock at Mare Island.

Also, Senate Joint Resolution No. 18—Relative to desert lands.

Also, Senate Bill No. 370—An Act to authorize and require the Board of Supervisors of San Joaquin County to pay the claim of S. G. S. Dunbar, etc.

Also, Senate Bill No. 91—An Act to authorize the Board of Supervisors of Solano County to erect a fire-proof building for the protection of the records and papers in the offices of the County Clerk and County Recorder of said county.

And this day, at eleven o'clock and fifty minutes A. M., presented the same to the Governor.

T. MCCARTHY, Chairman.

SPECIAL ORDER.

The special order set for one o'clock P. M., being the motion to reconsider the vote by which Senate Bill No. 51—An Act to amend sections one thousand five hundred and twenty-one, one thousand eight hundred and seventy-four, and one thousand eight hundred and seventy-five of the Political Code, and to repeal an Act to prevent changes in the text-books in use in the public schools, approved December thirteenth, eighteen hundred and seventy-five, was indefinitely postponed on the sixteenth instant, was now considered.

Mr. Lewis asked permission to withdraw the motion from the further consideration of the Senate.

Agreed to by general consent.

SPECIAL ORDER—SET FOR TWELVE O'CLOCK M.

Senate Bill No. 309—An Act to add a section to the Political Code, prohibiting the languages in the public schools, excepting the High Schools, Normal School, and University.

Mr. Craig moved to indefinitely postpone the bill.

On which the ayes and noes were demanded by Messrs. Satterwhite, McCoppin, and Murphy of San Francisco, and the Senate refused by a vote, as follows:

AYES—Messrs. Brown of Amador, Craig, Curtis, Dean, Donovan, Flint, Howe, Lambert, Lewis, Pierson, and Rogers—11.

NOES—Messrs. Boyston, Coleman, Evans, Fowler, Gwin, Hilborn, Hill, McCoppin, Murphy of San Francisco, Ream, Satterwhite, Searls, Shirley, and Smith—14.

Read third time.

Mr. Craig moved to refer the bill to the Committee of the Whole, with special instructions to amend by inserting, after the word "prohibited," the words "by special teachers."

On which the ayes and noes were demanded by Messrs. Craig, Howe, and Lambert, and the Senate refused by a vote, as follows:

AYES—Messrs. Brown of Amador, Craig, Curtis, Dean, Donovan, Flint, Goodwin, Howe, Lambert, Pierson, and Rogers—11.

NOES—Messrs. Bones, Boyston, Coleman, Evans, Fowler, Gwin, Hilborn, Hill, Lewis, McCoppin, Murphy of San Francisco, Murphy of San Luis Obispo, Ream, Satterwhite, Searls, Shirley, Smith, and Whitney—18.

On the passage of the bill, the ayes and noes were demanded by

the requisite number, and the Senate refused to pass the bill by a vote, as follows:

AYES—Messrs. Boyston, Coleman, Evans, Fowler, Gwin, Hilborn, Hill, McCoppin, Murphy of San Francisco, Murphy of San Luis Obispo, Ream, Searls, and Whitney—13.

NOES—Messrs. Bones, Brown of Amador, Craig, Curtis, Dean, Donovan, Flint, Goodwin, Howe, Lambert, Lewis, Nunan, Pierson, Rogers, Satterwhite, and Smith—16.

Mr. Satterwhite gave notice that, on to-morrow, he would move to reconsider the vote by which the bill failed to pass.

GENERAL FILE RESUMED.

Senate Bill No. 329—An Act to add a new section to the Penal Code, to be known as section one hundred and seventy-eight, in relation to obtaining divorces.

Amendments concurred in.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 327—An Act to amend section one thousand eight hundred and eighty of the Code of Civil Procedure, relating to witnesses.

Amendments concurred in.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 284—An Act to amend section two thousand two hundred and seventy-four of the Civil Code.

Amendments concurred in.

Rules suspended, considered engrossed, read third time, and passed.

Mr. McCarthy submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, February 20th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 42—An Act to amend section one hundred and thirteen of the Code of Civil Procedure, as to changing the time for the election of Justices of the Peace.

Also, Senate Bill No. 332—An Act legalizing the assessment book and delinquent list in Los Angeles County.

And this day, at one o'clock and thirty minutes p. m., presented the same to the Governor.

McCARTHY, Chairman.

Senate Bill No. 290—An Act to amend section three thousand four hundred and forty-three of the Political Code.

Amendments concurred in.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 306—An Act to amend section four hundred and eighty-seven of the Penal Code, in relation to the crime of grand larceny.

Amendment concurred in.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 279—An Act to amend section three hundred and fifty-seven of the Penal Code.

Amendment concurred in.

Rules suspended, considered engrossed, read third time, and passed.

Senate Joint Resolution Substitute for Senate Joint Resolutions Nos. 6 and 21—Substitute for Substitute for Senate Joint Resolutions Nos. 6 and 21, relative to currency.

Mr. Pierson moved to refer the whole matter to the Committee on Finance.

Upon which the ayes and noes were demanded by Messrs. Smith, McCoppin, and Howe, and the motion prevailed by a vote, as follows:

AYES—Messrs. Bones, Brown of Amador, Coleman, Dean, Evans, Goodwin, Gwin, Howe, Lewis, McCarthy, Murphy of San Francisco, Murphy of San Luis Obispo, Nunan, Pierson, Ream, Searls, and Whitney—17.

NOES—Messrs. Curtis, Donovan, Hill, Lambert, McCoppin, Satterwhite, Shirley, and Smith—8.

Senate Bill No. 97, passed on file.

Substitute for Senate Bill No. 33, and Assembly Bill No. 166, ordered at the foot of the general file.

Substitute for Senate Bill No. 201—An Act to fix the compensation of the Under-Sheriff, Deputy-Sheriff, and County Jailors of Alameda County.

Rules suspended, considered engrossed, read third time, and passed.

Substitute for Senate Bill No. 180—An Act for the relief of John Hoagland and others.

Amendment concurred in.

Rules suspended, considered engrossed, read third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Ream, Smith, and Murphy of San Luis Obispo, and the bill passed by a vote, as follows:

AYES—Messrs. Bones, Boyston, Brown of El Dorado, Coleman, Fowler, Haymond, Hilborn, Lambert, McGarvey, Murphy of San Francisco, Murphy of Santa Clara, Pierson, and Satterwhite—13.

NOES—Messrs. Brown of Amador, Dean, Flint, Goodwin, Hill, Howe, Lewis, Nunan, Ream, Shirley, Smith, and Whitney—12.

ADJOURNMENT.

At four o'clock and three minutes P. M., on motion of Mr. Brown of Amador, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
THURSDAY, February 21st, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCoppin, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

The Journal of yesterday not read, but approved, on motion of Mr. Murphy of San Francisco.

Mr. McGarvey was granted leave of absence for one day.

The President of the Senate presented a communication to the Senate, relative to public lands.

Received, and referred to the Committee on Public Lands.

REPORTS.

Reports were submitted, as follows:

Mr. Hill, for the delegation, verbally reported, recommending its passage, Assembly Bill No. 40—An Act to legalize the act of the Board of Supervisors of Lake County, in the matter of the survey and construction of the Kelly Cañon Road, in said county.

By Mr. Ream:

MR. PRESIDENT: The Committee on Hospitals, to whom was referred Senate Bill No. 356—have had the same under consideration, and herewith report the same back, and recommend its passage.

D. REAM, Chairman.

By Mr. Nunan:

MR. PRESIDENT: The San Francisco delegation, to whom was referred Senate Bill No. 217—An Act to amend the Political Code, respecting the health and quarantine regulations of the City and County of San Francisco—have had the same under consideration, report it back, and recommend its passage as amended.

Also, Senate Bill No. 262—An Act to authorize the Board of Supervisors of the City and County of San Francisco to audit and pay a certain claim—have had the same under consideration, report it back, and recommend its passage.

Also, Senate Bill No. 81—An Act for the relief of Henry F. Williams, and to provide for the payment of certain money equitably due said Williams—have had the same under consideration, report it back, and recommend accompanying substitute, and passage of same.

Also, Senate Bill No. 346—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board—have had the same under consideration, report it back, and recommend its passage as amended.

Also, Assembly Bill No. 329—An Act to amend an Act entitled an Act to establish and maintain a training ship in the City and County of San Francisco—have had the same under consideration, report it back, and recommend its passage, by the following vote:

AYES—Messrs. Craig, Dean, Donovan, Howe, Nunan, Pierson, and Rogers—7.

NOES—Mr. McCoppin—1.

ABSENT—Messrs. Boyston, McCarthy, and Murphy.

E. NUNAN, Chairman.

On motion of Mr. Nunan, the rules were suspended, and Assembly Bill No. 329 taken up, and made a special order for Wednesday next, at twelve o'clock M.

Mr. Murphy of San Luis Obispo, for the delegation, verbally reported, recommending its passage, Senate Bill No. 404—An Act to amend an Act entitled an Act fixing the salaries and the compensation of certain officers of San Luis Obispo County, approved March thirty-first, eighteen hundred and seventy-six.

Rules suspended, and the bill taken up for consideration.

Considered engrossed, read third time, and passed.

By Mr. Beazell:

MR. PRESIDENT: The Alameda delegation, to whom was referred Senate Bill No. 365—An Act to provide for the issuance of certain bonds by the County of Alameda, and for the payment of the same out of certain funds to be raised in the Town of Alameda—report the same back, with a substitute, and recommend the adoption and passage of the substitute.

BEAZELL, for Delegation.

Mr. McCoppin, in accordance with previous notice, moved to reconsider the vote by which the Senate, on yesterday, failed to pass Senate Bill No. 309—An Act to add a section to the Political

Code, prohibiting the languages in the public schools, excepting the High Schools, Normal School, and University.

On which the ayes and noes were demanded by Messrs. McCoppin, Fowler, and Satterwhite, and the vote by which the bill was rejected was reconsidered by a vote, as follows :

AYES—Messrs. Beazell, Coleman, Evans, Fowler, Hilborn, Hill, Lambert, McCoppin, Murphy of San Francisco, Murphy of Santa Clara, Ream, Satterwhite, Searls, and Shirley—14.

NOES—Messrs. Bones, Brown of Amador, Craig, Curtis, Dean, Donovan, Flint, Goodwin, Howe, Lewis, Nunan, Pierson, and Rogers—13.

On motion of Mr. McCoppin, the bill was made a special order for Wednesday next, at one o'clock p. m.

ASSEMBLY MESSAGE.

The following message was received from the Assembly :

ASSEMBLY CHAMBER,
SACRAMENTO, February 21st, 1878. }

MR. PRESIDENT : I have been directed to inform your honorable body that the Assembly, on the nineteenth day of February, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 433—An Act creating a Board of Bank Commissioners, and prescribing their duties and powers.

Also, concurred in Senate amendments to Assembly Bill No. 128.

And, on this day, adopted Assembly Concurrent Resolution No. 53—Relative to adjournment over on the twenty-second of February.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 433, above reported.

Read first and second times, and, on motion of Mr. Pierson, ordered printed, and referred to the Committee on Corporations.

Assembly Concurrent Resolution No. 53, above reported, reading as follows, was taken up :

Resolved by the Assembly, the Senate concurring, That when the Senate and Assembly adjourn, this day, they adjourn to meet at one o'clock p. m. on Monday, February twenty-fifth, eighteen hundred and seventy-eight.

Mr. Pierson moved to amend the resolution by striking out Monday, twenty-fifth instant, and inserting Saturday, the twenty-third instant, at one o'clock p. m.

Lost.

On concurring in the resolution, the ayes and noes were demanded by Messrs. Pierson, Fowler, and Smith, and it was concurred in by a vote, as follows :

AYES—Messrs. Beazell, Boyston, Brown of El Dorado, Coleman, Dean, Donovan, Evans, Flint, Fowler, Hilborn, Hill, McCoppin, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Ream, Rogers, Satterwhite, Searls, and Whitney—21.

NOES—Messrs. Bones, Brown of Amador, Curtis, Goodwin, Howe, Lewis, McCarthy, Pierson, Shirley, and Smith—10.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows :

By Mr. Beazell : Senate Bill No. 405—An Act to amend an Act

entitled an Act to incorporate the Town of Alameda, approved February twenty-first, eighteen hundred and seventy-eight.

Read first and second times, and referred to the delegation from Alameda County.

Also (by request): Senate Bill No. 406—An Act for the relief of Henry Maleton.

Read first and second times, and, with a memorial accompanying the same, referred to the Committee on Claims.

By Mr. Pierson: Senate Bill No. 407—An Act to amend the Code of Civil Procedure.

Also, Senate Bill No. 408—An Act to amend the Penal Code, in relation to fugitives from justice.

Each of the above bills read first and second times, and referred to the Judiciary Committee.

By Mr. Bones: Senate Bill No. 409—An Act conferring additional power upon the Board of Supervisors of Alameda County, and ratifying and confirming a resolution of said Board, granting certain rights and privileges to the Berkeley Horse Railroad Company.

Read first and second times, rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed, and ordered transmitted forthwith to the Assembly, without engrossment.

By Mr. Dean (by request): Senate Bill No. 410—An Act to provide for the construction and maintenance of municipal gas works in the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Howe: Senate Bill No. 411—An Act to authorize the Trustees of the I. O. O. F. of the City of San Francisco to lease the lot of land, in the City of San Francisco, held by said Trustees for the I. O. O. F. of said city.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

Also, Senate Bill No. 412—An Act concerning the macadamizing, etc., of Tyler Street, from Market to Devisadero Street, and to prohibit the laying down of railroad tracks thereon.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Brown of El Dorado: Senate Bill No. 413—An Act for the relief of James W. Marshall.

Read first and second times, and referred to the Committee on Claims and Finance.

By Mr. Haymond: Senate Bill No. 414, proposed substitute for Senate Bill No. 13—An Act to provide a system of irrigation.

Read first and second times, and ordered printed out of order.

MOTIONS AND RESOLUTIONS.

Mr. Haymond moved that two thousand copies of a lecture by William H. Hall, C. E., delivered in the Assembly Chamber, on the irrigation question in California, be printed.

Rules suspended, and the motion prevailed.

By Mr. Hilborn: Senate Concurrent Resolution No. 39.

WHEREAS, A committee of seven hold-over Senators were appointed by the last Senate to take testimony and prepare an address to the people of the United States upon the evils of Chinese

immigration; and whereas, said committee have performed that duty, gathered a large amount of information upon the subject, which has been spread before the Congress and the people of the United States; and whereas, no provision has been made to pay said committee; therefore,
Resolved by the Senate, the Assembly concurring, That a committee of three from the Senate and five from the Assembly be appointed to inquire into the subject, and report by bill or otherwise.

Adopted.
By Mr. Searls:

Resolved, That C. F. Reardon, Clerk pro tem. of the Senate Judiciary Committee, be and he is hereby allowed the sum of eight dollars per diem from the sixth day of February, eighteen hundred and seventy-eight, to be paid from the Contingent Fund, and to be continued at such per diem until the Chairman of the Judiciary Committee shall report the termination of his services as such Clerk.

Resolved, That upon the termination of the services of said Reardon, as such Clerk, the Chairman of the Judiciary Committee at once report the fact to the Senate.

Adopted.
By Mr. Lewis:

WHEREAS, The levee constructed by the City of Washington, Yolo County, was swept away by the rise of the American River, on the twenty-first day of February, eighteen hundred and seventy-eight, causing great damage to property; and whereas, said American River was directed in its present course by a levee constructed under and by virtue of an Act of the Legislature, passed April ninth, eighteen hundred and sixty-two; therefore, be it

Resolved, That a committee of three Senators be appointed by the President of the Senate, to inquire into the damage caused by the said overflow, and to report a bill to this body appropriating a sufficient amount of money to pay damages caused by said overflow.

On motion of Mr. Haymond, the resolution was amended by striking out "a committee of three," and inserting "Senator Lewis," to whom the resolution was referred.

On motion of Mr. Smith, the author of the bill, he was allowed to withdraw from the further consideration of the Senate Senate Bill No. 331.

GENERAL FILE.

Senate Bill No. 97.

Passed on file.

Assembly Bill No. 221—An Act to ratify and confirm a contract made by the City of Monterey, California.

Made a special order for two o'clock p. m., on Wednesday next.

Senate Bill No 235—An Act to confer additional powers on the Board of Supervisors of Contra Costa County.

Indefinitely postponed, on motion of Mr. Shirley, the author of the bill.

Senate Bill No. 390—An Act supplementary to and amendatory of an Act entitled an Act to incorporate the Town of Red Bluff, Tehama County, California, approved March thirty-first, eighteen hundred and seventy-six.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 393—An Act to authorize the Board of Supervisors of the County of Santa Clara to issue bonds in payment of certain indebtedness

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 378—An Act to amend an Act entitled an Act in relation to the county officers of Santa Clara County, their fees and salaries, approved February tenth, eighteen hundred and seventy-six.

Rules suspended, considered engrossed, read third time, and passed.
Senate Bill No. 379—An Act to amend an Act entitled an Act to re-incorporate the City of San José, approved March seventeenth, eighteen hundred and seventy-four.

Rules suspended, considered engrossed, read third time, and passed.
Senate Bill No. 380—An Act concerning the Santa Clara Avenue, and certain public lands of the City of San José, in the County of Santa Clara.

Rules suspended, considered engrossed, read third time, and passed.
Substitute for Senate Bill No. 202—An Act for the relief of Edward C. Kirby and John Burke.

Rules suspended, considered engrossed, read third time, and passed.
Senate Bill No. 256—An Act conferring further powers upon the Board of Supervisors of the City and County of San Francisco.

Rules suspended, considered engrossed, read third time, and passed.
Mr. Ream submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, February 21st, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 276—An Act to add another section to the Penal Code, to be designated as section five hundred and ninety-two.

Also, Substitute for Senate Bill No. 142—An Act to amend sections three hundred and ninety-two, three hundred and ninety-three, three hundred and ninety-five, three hundred and ninety-six, and three hundred and ninety-seven of the Code of Civil Procedure.

Also, Senate Bill No. 335—An Act to amend section one hundred and seventy-seven of the Code of Civil Procedure.

Also, Senate Bill No. 342—An Act to legalize a tax for building a school house in the New York School District, in Contra Costa County.

Also, Senate Bill No. 336—An Act to amend section one thousand seven hundred and nine of the Code of Civil Procedure.

Also, Senate Bill No. 318—An Act to amend section three hundred and seventy-two of the Code of Civil Procedure.

Also, Senate Bill No. 314—An Act to amend the Code of Civil Procedure in relation to attachments.

Also, Senate Bill No. 304—An Act legalizing the State and County tax and assessments, in the County of Nevada, in eighteen hundred and seventy-seven and eighteen hundred and seventy-eight.

Also, Senate Bill No. 330—An Act amendatory to an Act entitled an Act to amend an Act entitled an Act to revise and amend an Act entitled an Act to incorporate the Town of Grass Valley, approved April fifteenth, eighteen hundred and sixty-one, approved February sixth, eighteen hundred and sixty-four, approved March twenty-fourth, eighteen hundred and sixty-six.

Also, Senate Bill No. 315—An Act to incorporate the Town of Etna, Siskiyou County, California.

Also, Senate Bill No. 129—An Act to add a new section to the Political Code, to be known as section one thousand nine hundred and forty-one.

Also, Substitute for Senate Bill No. 58—An Act to fix the fees of Justices of the Peace for the Counties of Contra Costa, Lassen, and Butte.

Also, Senate Bill No. 367—An Act to ratify and confirm the acts of the Mayor and Common Council of the City of San José.

Also, Senate Bill No. 344—An Act to amend an Act entitled an Act authorizing the Trustees of San Buenaventura School District, Ventura County, to issue bonds for said district for the sum of ten thousand dollars.

Also, Senate Bill No. 339—An Act to amend an Act to create a Board of Auditors for El Dorado County, and fix the powers thereof, approved March thirtieth, eighteen hundred and seventy-four, and the Act amendatory thereof, approved April first, eighteen hundred and seventy-six.

Also, Senate Bill No. 354—An Act making the Sheriff of Butte County the Collector of Licenses therein, and fixing his salary therefor.

Also, Senate Bill No. 1—An Act to establish and maintain free public libraries and reading rooms.

Also, Senate Bill No. 285—An Act to amend section one thousand seven hundred and seventy of the Political Code, relative to County Boards of Examination.

Also, Senate Joint Resolution No. 37—In regard to a cemetery for San Francisco.

Also, Substitute for Senate Bill No. 236—An Act to add a section to the Penal Code, to be known as section three hundred and eighteen.

Also, Senate Bill No. 115—An Act to confer additional powers on the Board of Supervisors of the City and County of San Francisco, to provide for the opening of Army Street, and the condemnation of private property therefor.

D. REAM, for Committee.

Senate Bill No. 140—An Act to repeal an Act for the appointment of Inspector of Stationary Steam-boilers and Steam-tanks, and for the better security of life and property in the City and County of San Francisco.

Mr. Craig offered a substitute for the bill, and moved that the bill and substitute be referred to the San Francisco delegation.

So ordered.

Substitute for Senate Bill No. 353—An Act for the encouragement of agriculture and other industries.

Substitute adopted.

Mr. Satterwhite moved to refer the bill to the Committee on Finance.

Lost.

Mr. Lewis offered an amendment, as follows: Strike out all after the words "State Agricultural Society," in section one.

On which the ayes and noes were demanded by Messrs. Hill, Haymond, and Satterwhite, and it was rejected by a vote, as follows:

AYES—Messrs. Bones, Coleman, Donovan, Lewis, Nunan, Ream, Satterwhite, Searls, and Shirley—9.

NOES—Messrs. Beazell, Boyston, Brown of Amador, Brown of El Dorado, Curtis, Dean, Evans, Flint, Fowler, Goodwin, Haymond, Hilborn, Hill, Howe, Lambert, McCarthy, McCoppin, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Smith, and Whitney—22.

Mr. Searls offered an amendment, as follows: Amend by adding to section one, at bottom of first page, the words "and fifteen hundred dollars for the Nevada County Agricultural Society."

Lost.

Mr. Murphy of San Luis Obispo offered an amendment, as follows: "And fifteen hundred dollars for the District Fair of San Luis Obispo and Santa Barbara and Ventura Counties."

On which the ayes and noes were demanded by the requisite number, and rejected by a vote, as follows:

AYES—Messrs. Beazell, Bones, Dean, Donovan, Flint, Lewis, McCarthy, McCoppin, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Ream, Satterwhite, Searls, and Shirley—15.

NOES—Messrs. Boyston, Brown of Amador, Brown of El Dorado, Craig, Curtis, Evans, Fowler, Haymond, Hilborn, Hill, Howe, Lambert, Murphy of San Francisco, Rogers, Smith, and Whitney—16.

On motion of Mr. Fowler, the rules were suspended, and the bill placed on its final passage.

Considered engrossed, read third time, and passed.

Mr. Donovan (by leave) offered a resolution, as follows, to be numbered Senate Concurrent Resolution No. 40:

WHEREAS, The words "and upon the Auditor and Treasurer thereof," appear after the words San Francisco, in the title of Senate Bill No. 151, and the bill, as it has been amended, confers no powers upon said Auditor and Treasurer; therefore, be it

Resolved by the Senate, the Assembly concurring, That the Enrolling Clerk of the Senate, in the enrollment of Senate Bill No. 151, be and he is hereby directed to enroll the same without the words "and Auditor and Treasurer thereof," where they occur in the title of said bill.

Adopted.

On motion of Mr. Bones, Senate Bill No. 365, with substitute, were re-referred to the Alameda County delegation.

Mr. Murphy of Santa Clara submitted a report, as follows:

MR. PRESIDENT: The Judiciary Committee, to whom was referred Senate Bill No. 136—An Act to provide for the issuance of bonds, in the County of Tulare, for the payment of the indebtedness of said county—have had the same under consideration, and report it back with a substitute, and recommend the passage of the substitute.

B. D. MURPHY,
PIERSON,
SEARLS,
SMITH,
LAMBERT.

GENERAL FILE RESUMED.

Senate Bill No. 162—An Act concerning licenses in the County of San Benito.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Bill No. 470—An Act to provide for the payment of certain claims against the County of Santa Cruz.

Read third time, and passed.

Senate Bill No. 205.

Passed on file.

Senate Bill No. 210—An Act concerning certain street contracts in San Francisco.

Amendments concurred in.

On the engrossment of the bill, the ayes and noes were demanded by Messrs. Pierson, Murphy of San Francisco, and Craig, and the bill was ordered engrossed by a vote, as follows:

AYES—Messrs. Beazell, Bones, Boyston, Brown of El Dorado, Craig, Curtis, Donovan, Evans, Flint, Fowler, Haymond, Howe, Lewis, McCarthy, Murphy of San Francisco, Numan, Ream, Rogers, Satterwhite, Shirley, and Whitney—21.

NOES—Messrs. Brown of Amador, Dean, Goodwin, Hilborn, Pierson, Searls, and Smith—7.

Senate Bill No. 305.

Passed on file.

Substitute for Senate Bill No. 33 and Assembly Bill No. 166.

Ordered at the foot of the general file.

Senate Joint Resolution No. 24, and Senate Bill No. 10, were, on motion of Mr. Smith, continued as special orders for Thursday evening next, at same hour.

ASSEMBLY MESSAGE.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, February 21st, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the nineteenth day of February, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 314—An Act to authorize the Board of Supervisors of Los Angeles County to purchase a farm in the County of Los Angeles, to build and establish a County Alms-house and Hospital thereon, and to issue bonds for the payment of the same.

Passed Assembly Bill No. 252—An Act to prevent hogs from running at large in the Towns of Lakeport and Lower Lake, in Lake County.

Passed Assembly Bill No. 306—An Act to amend an Act entitled an Act to provide for the completion of the building, in the City and County of San Francisco, known as the new City Hall, approved March twenty-fourth, eighteen hundred and seventy-six.

Passed Assembly Bill No. 345—An Act to protect the Town of Fresno against fire.

Passed Assembly Bill No. 75—An Act to ascertain the amount, and to provide for the pay-

ment of damages done to the St. Francis Church property, in the City and County of San Francisco, by changing the grade of Montgomery Avenue, in said city and county.

Passed Assembly Bill No. 261—An Act to ratify and confirm resolution number eleven thousand nine hundred (new series) of the Board of Supervisors of the City and County of San Francisco.

Passed Assembly Bill No. 292—An Act concerning the fees of Justice of the Peace in and for the County of Yuba.

Passed Assembly Bill No. 129—An Act for the relief of S. L. Marks, Terrence Burke, J. R. Deardorff, and Milo Hoadley.

Passed Assembly Bill No. 354—An Act for the relief of Joseph O'Neil.

Also, passed Assembly Bill No. 406—An Act to confer additional powers upon the Board of Trustees of the City of Sacramento.

Also, passed Assembly Bill No. 398—An Act amendatory of an Act entitled an Act to protect agriculture, and to prevent the trespassing of animals upon private property in the County of San Diego, approved March twenty-fourth, eighteen hundred and seventy-six.

And, on the twentieth day of February, eighteen hundred and seventy-eight, passed Substitute for Assembly Bills Nos. 34 and 52—An Act to amend the Political Code of the State of California, and other Acts concerning the National Guard.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bills Nos. 314, 252, 345, 406, and 398, above reported.

Each read first and second times, and referred to the delegation named in the bills.

Assembly Bills Nos. 306, 75, 261, 129, and 354, above reported.

Each read first and second times, and referred to the San Francisco delegation.

Assembly Bill No. 292, above reported.

Read first and second times, and referred to the Judiciary Committee.

Substitute for Assembly Bills Nos. 34 and 52, above reported.

Read first and second times, and referred to the Military Committee.

ADJOURNMENT.

At three o'clock and five minutes P. M., on motion of Mr. Searls, the Senate adjourned, when the President announced that the Senate had adjourned until Monday, the twenty-fifth instant, at one o'clock P. M., under a concurrent resolution this day adopted.

IN SENATE.

SENATE CHAMBER,
MONDAY, February 25th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bones, Boyston, Coleman, Craig, Crane, Curtis, Dean, Donovan, Goodwin, Haymond, Hill, Howe, Lambert, Lewis, McCoppin, McGarvey, Montgomery, Murphy of Santa Clara, Norton, Pierson, Ream, Rogers, Satterwhite, Shirley, Smith, and Whitney.

Quorum present.

The reading of the Journal of Thursday, the twenty-first instant, was dispensed with, on motion of Mr. Haymond.

Mr. Craig moved to correct the Journal, in regard to the vote of Mr. Beazell, on reconsidering the vote on Senate Bill No. 309, stating that Senator Beazell being paired on the bill, he had no right to participate in the vote on the motion, and that his vote should not have been recorded; but withdrew the motion, and gave notice that, immediately after the reading of the Journal to-morrow, he would move to correct the same in that respect.

LEAVE OF ABSENCE.

Senators Beazell and Searls were granted, the former one day, and the latter indefinite leave of absence; Senator Fowler for three days, and the Secretary of the Senate, Mr. Shoemaker, for one day.

On motion of Mr. Lewis, the rules were suspended and Assembly Bill No. 390, which passed the Senate on the twenty-first instant, ordered transmitted forthwith to the Assembly without engrossment.

PETITIONS.

Mr. Haymond presented a remonstrance from citizens of Plumas County against the passage of the bill establishing certain rates and charges for messages over the telegraphic wires and lines in this State.

Received, and referred to the Committee on Corporations.

REPORTS.

Reports were submitted, as follows:

By Mr. Pierson:

Monday, February 25th, 1878.

MR. PRESIDENT: The Judiciary Committee, to whom was referred Senate Bill No. 333—An Act to amend sections three thousand seven hundred and forty-seven, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety, and three thousand seven hundred and ninety-seven of the Political Code—report the same back, with amendments, and recommend its passage as amended.

Also, Assembly Bill No. 416—An Act to regulate the terms of the County Court of San Joaquin County—report the same back, and recommend that it be considered with the general bill relating to the time of holding terms of Court in the different counties.

Also, Senate Bill No. 386—An Act to confer further powers on the Common Council of the City of Santa Barbara—report the same back, with amendments, and recommend its passage as amended.

Also, Senate Bill No. 381—An Act to exempt firemen of the Eureka Fire Company No. 1, of Visalia, Tulare County, from the payment of poll and road tax—report the same back, and recommend that it do not pass.

Also, Senate Bill No. 365—An Act for the relief of the purchasers of State lands—report the same back, and recommend that it be referred to the Committee on Public, Swamp, and Overflowed Lands.

Also, Senate Bill No. 308—An Act to amend section three hundred and forty of the Penal Code—report the same back, and recommend that it do not pass.

Also, Senate Bill No. 44—An Act to fix the bonds of the county officers of Ventura County—report the same back, and recommend its passage.

Also, Assembly Bill No. 124—An Act for the relief of John Riordan, B. H. Kenny, Patrick Donahue, and W. B. Jourden—report the same back, and recommend that it do pass.

Also, Senate Resolution No. 125—report the same back with accompanying tables, and recommend that it be considered at the same time with bill to provide for a Constitutional Convention.

Also, Senate Bill No. 389—An Act to prevent the trespassing of animals upon private property in the County of Yolo—report the same back, and recommend that it be referred to the Yolo delegation.

Also, Senate Bill No. 401—An Act entitled an Act to legalize the assessment and levy of taxes in the County of Santa Cruz—report the same back, with amendments, and recommend its passage as amended.

Also, Senate Bill No. 152—An Act for the relief of purchasers of State lands, and to cure defects in applications to purchase and to confirm titles thereto—report the same back, and recommend that it be referred to the Committee on Public, Swamp, and Overflowed Lands.

Also, Senate Bill No. 234—An Act relating to advances *bona fide* made to agents intrusted with goods, and for the better protection of such advances—report the same back, with amendments, and recommend its passage as amended.

Also, Assembly Bill No. 292—An Act concerning the fees of Justices of the Peace in and for the County of Yuba—report the same back, and recommend that it be referred to the delegation.

Also, Assembly Bill No. 107—An Act to amend section two hundred and fifty-nine of the Code of Civil Procedure of the State of California—report the same back, a majority recommending its passage.

Also, Senate Bill No. 414—An Act to amend the Penal Code—herewith reported by the committee, and recommend its passage.

Also, Senate Bill No. 415—An Act relative to the Attorney-General and District Attorneys—herewith reported by the Committee, and its passage recommended.

PIERSON, Chairman pro tem.

Senate Bill No. 389, and Assembly Bill No. 292, above reported.

Each referred to the delegations from the counties named in the bills.

Senate Bill No. 363, above reported.

Referred to the Committee on Public, Swamp, and Overflowed Lands.

Also :

MR. PRESIDENT: Your Committee on Swamp, and Overflowed, and Public Lands have had under consideration, and begs leave to report the following :

Assembly Joint Resolution No. 10—In relation to reserving the fresh waters upon public lands—and recommend its adoption.

Also, Assembly Joint Resolution No. 17—In relation to soldiers' and sailors' additional homesteads—and report the same back without recommendation.

Also, Senate Bill No. 249—An Act to amend an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two, and concerning swamp and overflowed salt marsh and tide lands—and recommend that it do not pass.

Also, Senate Bill No. 322—An Act for the relief of purchasers of State lands—and recommend that the same do not pass.

PIERSON, Chairman.

By Mr. McCoppin :

MR. PRESIDENT: The Committee on Finance and Claims, to whom was referred Senate Bill No. 70—An Act to remit certain delinquent taxes against the Lick estate—have had the same under consideration, and report it back with a substitute, and recommend the passage of the substitute.

Also, Senate Bill No. 183—An Act to provide for the payment of John Sutherland, Jr., for his services rendered in destroying the Vasquez banditti—report the same back with amendment, recommend the adoption of the amendment, and the passage of the bill as amended.

Also, Assembly Bill No. 334—An Act authorizing a tax for the payment of grand and trial jurors in the County of Alpine—report the same back, and recommend its passage.

Also, Assembly Bill No. 71—An Act to provide for the payment of the claim of Harrison Roberts, Luis Raggio, and C. S. Colvez, for services rendered to the State by the capture of Cleodoro Chavez, one of the associates of the bandit Vasquez—report the same back, and recommend its passage.

McCOPPIN, Chairman of Committee.

By Mr. Murphy of Santa Clara :

MR. PRESIDENT: The Santa Clara delegation, to whom was referred Senate Bill No. 392—An Act to amend an Act concerning streams in the County of Santa Clara, approved March twenty-eighth, eighteen hundred and seventy-two—beg leave to report the same back, and recommend its passage.

MURPHY, of Santa Clara.

Mr. Lambert, for the Yolo County delegation, verbally reported back Senate Bill No. 389, recommending its passage.

By Mr. McCoppin :

MR. PRESIDENT: The undersigned, a member of the San Francisco delegation, has had under consideration Assembly Bill No. 329—An Act to amend an Act entitled an Act to establish and maintain a training ship in the City and County of San Francisco, approved February fifteenth, eighteen hundred and seventy-six—and is opposed to its passage, for the following reasons: Two years ago, through the influence of some well-meaning, though mistaken, persons, an Act was passed appropriating twenty-five thousand dollars per annum for the maintenance of a training ship for San Francisco. When the bill was first under consideration in the delegation, the then and now Commander represented that, in his opinion, boys could be maintained upon the ship at an expense of ten dollars per month each, and that the appropriation asked for would be sufficient to maintain one hundred and fifty to two hundred boys constantly upon the ship. This showing was so favorable as to induce the Legislature to pass, and the Executive to approve the bill. This experiment has been tried for two years, with the following result: The highest average number of boys maintained, at any one time, upon the ship, was eighty, at a cost to the city of twenty-six dollars per month, or three hundred and twelve dollars per annum each. This sum is paid to qualify boys, mostly taken from the Industrial School, for a position "before the mast," and is about two hundred and eighty-six dollars more a year than it costs to educate a boy in our public schools.

Why should this exceptional course be adopted toward eighty boys by a city in which, according to the report of the Superintendent of Education, there are more than fourteen thousand (14,000) census children attending no school whatever? Is so large an expenditure of money for such a purpose warranted by the results, or just to the taxpayer of San Francisco? But we cannot wonder at the insignificant number of boys provided for in this way, seeing that one-half, or nearly one-half, of the entire appropriation is absorbed in paying extra salaries to the United States Naval Officers and Marines having charge of the training ship; and when to this is added the cost of supporting those officers and men upon the ship, it will be found that a very small moiety indeed of the appropriation is left for the young people who are being educated for "the merchant marine." The cost of keeping the ship in repair is also to be borne by the taxpayers of San Francisco; and when to this are added the expenses already enumerated, it is doubtful whether anything will be left for "the small boys." Indeed, the whole scheme as first projected, has utterly broken down of its own weight, and its promoters are now before the Legislature urging the passage of this measure, which is most unjust to the people of San Francisco.

In addition to the twenty-five thousand dollars which San Francisco now contributes directly for the support of this ship, the State is asked to appropriate twenty-five thousand dollars per annum, two-fifths of which last named sum the taxpayers of that city must necessarily contribute, making in all thirty-five thousand dollars a year as against the State's fifteen thousand, and as an inducement to Representatives other than those from the city to vote for this measure the State, which is to contribute little if any more than one-fourth the entire cost, is given equal privileges with the city upon the training ship.

It is respectfully submitted that the people of San Francisco are already taxed *enormously* for the education of the children of the State other than their own. Under the operation of Article Twentieth of the Political Code, which was enacted at a time when San Francisco was virtually disfranchised in the Legislature, the people of that city paid into the State treasury, last year, for school purposes, five hundred and thirty-three thousand nine hundred and sixty-three dollars and seventy-four cents, of which the sum of one hundred and sixty-five thousand dollars was carried to the credit of forty-four outside counties, and went to pay for their public schools. Amador, which paid only one thousand two hundred and seventy-six dollars into the School Fund, in eighteen hundred and seventy-seven, received nineteen thousand seven hundred and thirty-four dollars. Sierra paid the modest sum of two hundred and thirty-one dollars, and received the munificent one of eight thousand eight hundred and twenty-five dollars. The rich Counties of Los Angeles, Sonoma, Nevada, and Yuba, received respectively thirty-eight thousand four hundred and forty-one dollars, twenty-nine thousand dollars, twenty thousand seven hundred and sixty-seven dollars, and eleven thousand and twelve dollars in excess of the several sums contributed by them to the State treasury for school purposes last year. (See Controller's Report for eighteen hundred and seventy-seven, page one hundred and twenty-seven.) Even Alameda, which is said to be "upon the right side of the Bay," absorbed, last year, nine thousand three hundred and sixty-six dollars of her neighbor's money under this extraordinary system of taxation.

It will be seen, from the foregoing statement, that the taxpayers of San Francisco are now, and have been for years, supporting, in whole or in part, the public schools in forty-four of the fifty-two counties of the State. That they have borne this burden thus far uncomplainingly furnishes no good reason for pressing them still further in this exceptional way. It is not just; besides, the taxation now proposed is for a far less worthy object than the support of the common schools of the State. The Constitution provides that "taxation shall be equal and uniform throughout the State." This bill provides for taxation without equality, uniformity, or justice, and therefore it ought not to pass.

McCOPPIN, of the Delegation.

By Mr. Crane:

SENATE CHAMBER,
SACRAMENTO, February 25th, 1878. }

MR. PRESIDENT: Having had under consideration Assembly Bill No. 147—An Act to authorize the Board of Supervisors of the County of Plumas to refund certain taxes—I report the same back, and recommend its passage.

W. H. CRANE.

Assembly Bill No. 147, above reported, taken up for consideration.
On motion of Mr. Crane, rules suspended, read third time, and passed.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows:

By the Judiciary Committee: Senate Bill No. 414—An Act to amend the Penal Code.

Also, Senate Bill No. 415—An Act relative to the Attorney-General and District Attorneys.

Each read first and second times, and ordered on the general file.

By Mr. Goodwin: Senate Bill No. 416—An Act for the relief of the sufferers by the late storm and flood.

Read first and second times, and, on motion of Mr. Lambert, referred to a special committee of five, to be appointed by the President, with instructions to report to-morrow.

Which committee was subsequently appointed, as follows: Messrs. Goodwin, Lambert, Haymond, Craig, and Lewis.

By Mr. Craig: Senate Bill No. 417—An Act to relieve the destitute.

Read first and second times, and referred to the special committee before mentioned, with like instructions.

By Mr. Pierson: Senate Bill No. 418—An Act to amend section six hundred and two of the Penal Code.

Read first and second times, and, with a memorial accompanying the same, referred to the Judiciary Committee.

By Mr. Goodwin: Senate Bill No. 419—An Act amendatory of section one thousand four hundred and ninety-four of the Code of Civil Procedure of the State of California.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Rogers: Senate Bill No. 420—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Haymond: Senate Bill No. 421—An Act to amend section two thousand six hundred and sixty-four of the Political Code.

Read first and second times, and, with a memorial accompanying the same, referred to the Committee on Roads and Highways.

By Mr. Murphy of Santa Clara: Senate Bill No. 422—An Act authorizing the Mayor and Common Council of the City of San José to establish and provide for the maintenance of a Board of Health.

Also, Senate Bill No 423—An Act relating to the Coroner of Santa Clara County.

Each of the above bills read first and second times, and ordered on the general file.

By Mr. Donovan: Senate Bill No. 424—An Act to amend sections three and four of an Act entitled an Act to regulate the practice of pharmacy in the City and County of San Francisco, passed March twenty-eighth, eighteen hundred and seventy-two, and amended March thirty-first, eighteen hundred and seventy-six.

Read first and second times, and referred to the Committee on Hospitals.

Also, Senate Bill No. 425—An Act providing for the payment of certain salaries out of the special fee fund of the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Lambert: Senate Bill No. 426—An Act for the relief of purchasers of State lands.

By Mr. Murphy of Santa Clara: Senate Bill No. 427—An Act to regulate and provide for the payment of the fees of medical experts as witnesses in civil and criminal actions in the Courts.

Each of the above bills read first and second times, and referred to the Judiciary Committee.

By Mr. Norton: Senate Bill No. 428—An Act respecting the Hospital of the County of Placer.

Read first and second times, and referred to the Placer County delegation.

By Mr. Pierson: Senate Bill No. 429—An Act to amend section three thousand eight hundred and eighty-one of the Political Code.

Read first and second times, and referred to the Judiciary Committee.

MOTIONS AND RESOLUTIONS.

Mr. Smith offered the following resolution:

Resolved, That the Committee on Corporations be requested to investigate the subject, and report on Senate Bills Nos. 358, 359, and 360, relating to freights and fares, as soon as possible.

Adopted.

GENERAL FILE.

Senate Bill No. 97.

Passed on file.

Senate Bill No. 205—An Act granting relief to the taxpayers whose lands have been sold to the State.

On motion of Mr. Shirley, passed on file, and substitute ordered printed.

Assembly Bill No. 40—An Act to legalize the acts of the Board of Supervisors of Lake County, in the matter of the survey and construction of the Kelly Cañon Road, in said county.

Rules suspended, read third time, and passed.

Senate Bill No. 356—An Act to amend sections three thousand and seventy-four, three thousand and seventy-seven, three thousand and seventy-nine, and three thousand and eighty-one of the Political Code, and to add a new section thereto, to be numbered section three thousand and eighty-three, relative to the registry of births, marriages, and deaths.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 217.

Passed on file.

Senate Bill No. 262—An Act to authorize the Board of Supervisors of the City and County of San Francisco to audit and pay a certain claim.

Rules suspended, considered engrossed, read third time, and passed.
Ordered to the Assembly forthwith without engrossment.

Substitute for Senate Bill No. 81.

Passed on file.

Senate Bill No. 346—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board.

Amendments concurred in.

Rules suspended, considered engrossed, read third time, and passed.

Substitute for Senate Bill No. 136—An Act to fund certain indebtedness of Tulare County.

Substitute adopted.

Rules suspended, considered engrossed, read third time, and passed.

Substitute for Senate Bill No. 33.

Passed on file.

Assembly Bill No. 166—An Act to provide for the payment of witnesses, in criminal cases, in the County of Placer.

On motion of Mr. Norton, recommitted to the Judiciary Committee.

Mr. Ream submitted a report, as follows:

SENATE CHAMBER.

SACRAMENTO, February 25th, 1878.)

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 319—An Act to provide for the building of bridges across South and Middle Eel River, in Mendocino County.

Also, Senate Joint Resolution No. 27—Relative to trans-continental railroads.

Also, Senate Bill No. 32—An Act to amend section six hundred and sixty-three of the Code of Civil Procedure.

Also, Senate Bill No. 382—An Act to amend an Act entitled an Act to establish and define the powers and duties of the Board of Education of the City of Petaluma, approved January sixth, eighteen hundred and seventy-two, and the Acts supplementary thereto and amendatory thereof.

Also, Senate Bill No. 260—An Act to amend certain sections numbers one thousand three hundred and fifty, one thousand three hundred and sixty-five, one thousand three hundred and sixty-nine, and one thousand three hundred and seventy-nine of the Code of Civil Procedure.

Also, Senate Bill No. 244—An Act to provide for the payment of the State of California of the costs of certain criminal actions.

Also, Senate Bill No. 375—An Act making an appropriation to pay the expenses of Presidential Electors.

Also, Senate Bill No. 49—An Act to amend section one thousand six hundred and twenty-four of the Civil Code.

Also, Senate Bill No. 310—An Act to increase the appropriation for the support of the Hospital and Alms-house of the City and County of San Francisco.

Also, Senate Bill No. 116—An Act to define the powers of the Board of Supervisors of the City and County of San Francisco with reference to contracts.

Also, Senate Substitute for Assembly Bill No. 41—An Act to repeal certain Acts in relation to the terms of the County and Probate Courts in certain counties, and to amend sections eighty-eight and ninety-nine of the Code of Civil Procedure.

Also, Substitute for Senate Bill No. 180—An Act for the relief of John Hoagland and others.

Also, Senate Bill No. 290—An Act to amend section three thousand four hundred and forty-three of the Political Code.

Also, Senate Bill No. 277—An Act to amend section three hundred and fifty-seven of the Penal Code.

Also, Senate Bill No. 284—An Act to amend section two thousand two hundred and seventy-four of the Civil Code.

Also, Substitute for Senate Bill No. 201—An Act to fix the compensation of the Under Sheriff, Deputy Sheriff, and County Jailors of Alameda County.

Also, Senate Bill No. 204—An Act to pay the claim of Mary M. Springer, widow and heir of Thomas A. Springer, late State Printer, deceased.

Also, Senate Bill No. 229—An Act to establish the grade of Seventh Street, between Bryant and Brannan Streets, in the City and County of San Francisco.

Also, Senate Bill No. 329—An Act to add a new section to the Penal Code, to be known as section one hundred and seventy-eight—in relation to obtaining divorces.

Also, Senate Bill No. 306—An Act to amend section four hundred and eighty-seven of the Penal Code—in relation to the crime of grand larceny.

Also, Senate Bill No. 327—An Act to amend section one thousand one hundred and eighty of the Code of Civil Procedure—relating to witnesses.

Also, Senate Bill No. 317—An Act to confirm the title to certain property, on the water front, in the City and County of San Francisco.

Also, Senate Bill No. 403—An Act to confer further powers on the Board of Directors of the California Institution for the Deaf, the Dumb, and the Blind.

D. REAM, Chairman.

ASSEMBLY MESSAGE.

The following message was received from the Assembly :

ASSEMBLY CHAMBER,
SACRAMENTO, February 25th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twenty-first day of February, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 439—An Act amending an Act entitled an Act to regulate fees of office and salaries of officers in the County of San Diego, approved March thirty-first, eighteen hundred and seventy-six—in relation to County Assessor.

Also, Assembly Bill No. 245—An Act authorizing the Board of Supervisors of Los Angeles County to allow the claim of Dionisio Botillo, ex Assessor of said county, for services rendered said county during the years eighteen hundred and seventy and eighteen hundred and seventy-one.

Also, Assembly Bill No. 322—An Act to authorize the Town of Santa Clara to construct and maintain a public sewer, and to provide for paying the cost thereof.

Also, Assembly Bill No. 87—An Act in relation to Road Overseers and road poll taxes in the County of Yuba.

Also, Assembly Bill No. 436—An Act to provide for a convention to frame a new Constitution for the State of California.

Also, Senate Bill No. 409—An Act conferring additional powers upon the Board of Supervisors of Alameda County.

Also, concurred in Senate Concurrent Resolution No. 40—Relative to correcting error in Senate Bill No. 151.

And, on this day, passed and ordered transmitted without engrossment Assembly Bill No. 542—An Act to repeal an Act entitled an Act to authorize the Board of Supervisors of Colusa County to approve official bonds of County and Township officers of said county, approved February eighteenth, eighteen hundred and seventy-eight.

Also, adopted Assembly Concurrent Resolution No. 54—Relative to a joint committee on election laws.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bills Nos. 439, 245, 322, and 87, above reported.

Each read first and second times, and referred to the delegation from the counties named in the bills.

Assembly Bill No. 436, above reported.

Read first and second times, and made a special order for Friday, March first, at twelve o'clock M.

Assembly Bill No. 542, above reported.

Read first and second times.

Rules suspended, and the bill taken up for consideration, and by unanimous consent, read third time, and passed.

Assembly Concurrent Resolution No. 54, above reported, reading as follows, was taken up :

Resolved by the Assembly, the Senate concurring, That a special joint committee, to consist of three members of the Senate and three members of the Assembly, be appointed by the presiding officers of the respective Houses, to whom shall be referred all bills proposing amendments to the election laws of this State, with instructions to report at as early a day as may be convenient upon said bills; and also such other amendments to said election laws as said committee may deem advisable.

Concurred in.

ADJOURNMENT.

At three o'clock p. m., on motion of Mr. Rogers, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
TUESDAY, February 26th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Dean, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Norton, Nunan, Pierson, Ream, Rogers, Satterwhite, Shirley, Smith, and Whitney.

Quorum present.

The Journal of yesterday not read, and same approved.

LEAVE OF ABSENCE.

Mr. McCarthy was granted indefinite leave of absence, and Mr. Crane for one day.

PETITIONS.

Petitions were presented, as follows:

By Mr. Pierson—From merchants of the City of San Francisco, urging the passage of the bill known as the Pierson bill—to create a new Court in said city.

Also, from members of the bar of the City and County of San Francisco, relative to the same subject.

Each of the above received, and placed on file.

By Mr. Haymond—From the Supreme Encampment of the Order of Caucasians of the State of California, praying the passage of the bill known as the opium bill.

Received, and referred to the Judiciary Committee.

By Mr. Hill—From citizens and taxpayers of Napa County, remonstrating against the passage of a bill to reduce the rates of the telegraph companies of this State.

Received, and referred to the Committee on Corporations.

REPORTS.

Reports were submitted, as follows:

By Mr. Pierson:

MR. PRESIDENT: The Judiciary Committee, to whom was referred Assembly Bill No. 187—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California—have had the same under consideration, and report it back, a majority recommending that it do not pass.

Also, Assembly Bill No. 182—An Act to prevent the circulation of bogus election tickets, and to prevent fraud upon voters—report the same back with amendments, a majority recommending its passage as amended.

PIERSON, Chairman pro tem.

By Mr. Hill:

MR. PRESIDENT: The Committee on Agriculture, to whom was referred Senate Bill No. 248—An Act for the increase and preservation of forest areas of the State—have had the same under consideration, and herewith report the same back with amendments, recommend the adoption of the amendments, and passage of the bill as amended.

Also, Assembly Bill No. 234—An Act to provide for the extermination of squirrels in the County of San Mateo—and herewith respectfully report the same back with an amendment, recommend the adoption of the amendment, and the passage of the bill as amended.

HILL, Chairman.

Mr. Nunan, for the delegation, verbally reported, with amendments, recommending its passage as amended, and that it be printed, Senate Bill No. 41—An Act to amend, and also to repeal, certain sections of the Political Code, relating to elections.

The bill was ordered printed, and referred to the joint committee provided for under Assembly Concurrent Resolution No. 54, adopted on yesterday, which was appointed by the President, as follows: Messrs. Dean, Craig, and Haymond.

By Mr. Bones:

MR. PRESIDENT: The Alameda delegation, to whom was referred Senate Bill No. 365—An Act to provide for the issuance of certain bonds by the County of Alameda, and for the payment of the same out of certain funds to be raised in the Town of Alameda; and also, a substitute for said bill, entitled an Act supplemental to an Act entitled an Act supplemental to and amendatory of an Act entitled an Act to authorize the construction of a swing or draw-bridge across the San Antonio Creek, in the County of Alameda, approved — fourth, eighteen hundred and seventy, approved February twelfth, eighteen hundred and seventy-two—report the same back with a substitute for both of said bills, which said substitute is entitled an Act to provide for the issuance of certain bonds by the County of Alameda, and for the payment of the same, and recommend the passage of the said last mentioned substitute.

J. W. BONES.

The bill and substitute, above reported, was referred to the Judiciary Committee.

Also:

MR. PRESIDENT: The Alameda delegation, to whom was referred Senate Bill No. 405—An Act to amend an Act entitled an Act to incorporate the town of Alameda, approved February twenty-first, eighteen hundred and seventy-eight—report the same back, and recommend its passage.

J. W. BONES,
JAMES BEAZELL.

Rules suspended, and the bill taken up for consideration.

Considered engrossed, read third time, and passed.

By Mr. Ream:

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 176—An Act supplemental to and amendatory of an Act entitled an Act to regulate the practice of

medicine in the State of California, approved April third, eighteen hundred and seventy-six, and the substitute for the same—report that they have had the bill and substitute under consideration, and report the same back to the Senate, with a substitute for the bill and substitute, and recommend the passage of the substitute.

D. REAM, for the Committee.

Subsequently the rules were suspended, and the bill above reported taken up for consideration.

Substitute adopted.

Ordered engrossed.

By Mr. Goodwin:

MR. PRESIDENT: The Committee, to whom was referred Senate Relief Bills Nos. 416 and 417, herewith report a substitute for both said bills, and recommend its passage.

GOODWIN, for Special Committee.

Rules suspended, and the bills above reported taken up for consideration.

Substitute for the bills adopted.

Considered engrossed, read third time, and passed.

Ordered to the Assembly without engrossment.

By Mr. Smith:

MR. PRESIDENT: The Los Angeles delegation, to which was referred Assembly Bill No. 245—has had the same under consideration, and recommend that it be amended by striking out the name "Botella" wherever it occurs in the title or the body of the Act, and insert in lieu thereof the name "Botiller," and that the same be passed as amended.

GEORGE H. SMITH.

Rules suspended.

Amendments adopted.

Read third time, and passed.

By Mr. Norton:

MR. PRESIDENT: The delegation, to whom was referred Senate Bill No. 428—An Act respecting the Hospital of the County of Placer—having had the same under consideration, report it back, and recommend its passage.

NORTON, for the Delegation.

Rules suspended, and the bill above reported taken up for consideration.

Considered engrossed, read third time, and passed.

By Mr. Hilborn:

MR. PRESIDENT: The Solano delegation, to whom was referred Senate Bill No. 343—herewith report the same back, with the recommendation that it pass.

HILBORN and LAMBERT, Solano Delegation.

Rules suspended, considered engrossed, read third time, and passed.

Mr. Satterwhite, for the delegation, verbally reported Assembly Bill No. 439—An Act amending an Act entitled an Act to regulate fees of office and salaries of officers in the County of San Diego, approved March thirty-first, eighteen hundred and seventy-six, in relation to County Assessor.

Rules suspended, the bill taken up, read third time, and passed.

ASSEMBLY MESSAGE.

The following message was received from the Assembly:

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twenty-first day of February, A. D. eighteen hundred and seventy-eight, concurred in Senate amendments to Assembly Bill No. 237.

Also, passed Assembly Bill No. 516—An Act to regulate fees of office and salaries of officers in Modoc County.

And, on the twenty-fifth day of February, passed Assembly Joint Resolution No. 3—Relative to granting public lands to corporations.

Also, Assembly Bill No. 339—An Act to amend section two thousand and twenty-one of the Code of Civil Procedure, by adding a new subdivision thereto, relative to depositions of material witnesses.

Also, Senate Bill No. 238—An Act to amend an Act entitled an Act to incorporate the City of Nevada, and all Acts amendatory thereof.

Also, Senate Bill No. 89—An Act to amend section nine of an Act entitled an Act to separate the office of County Recorder from the office of County Clerk, and regulate the salaries of certain officers of the County of Merced, approved March twenty-sixth, eighteen hundred and seventy-four.

Also, Senate Bill No. 390—An Act supplementary to and amendatory of an Act entitled an Act to incorporate the Town of Red Bluff, Tehama County, California, approved March thirty-first, eighteen hundred and seventy-six.

Also, Senate Bill No. 254—An Act to ratify and confirm ordinance number sixty-four, passed by the City Council of the City of Stockton, and approved by the Acting Mayor of said city on the eighth day of December, eighteen hundred and seventy-seven.

Also, Senate Bill No. 215—An Act supplemental to an Act entitled an Act to provide for the construction of a railroad from the Bay of San Luis Obispo, in the County of San Luis Obispo, to Santa Maria, in the County of Santa Barbara.

Senate Bill No. 265—An Act to amend sections one and three of an Act entitled an Act to authorize the Assessor of the City and County of San Francisco to appoint deputies, approved January twenty-fifth, eighteen hundred and seventy.

Senate Bill No. 182—An Act to fix the salary of the Superintendent of Public Schools in the County of Calaveras.

Also, amended and passed Senate Bill No. 288—An Act to amend an Act entitled an Act to provide for the location, construction, and maintenance of public roads in the County of Nevada, approved March twenty-first, eighteen hundred and seventy-two.

Also, amended and passed Senate Bill No. 92—An Act for the relief of Cook Talcott and Andrew Onderdonk.

Also, amended and passed Senate Bill No. 252—An Act to provide for the payment of the expenses of the Seventh Street Commission, in and for the City and County of San Francisco.

Also, amended and passed Senate Bill No. 189—An Act to amend an Act entitled an Act to widen English Street, in the City of Petaluma, and to take private lands therefor, approved March twenty-fifth, eighteen hundred and seventy-six.

And indefinitely postponed Senate Bill No. 113—An Act to amend section three of an Act entitled an Act repealing Article Four of an Act entitled an Act to repeal the several charters of the City and County of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved the nineteenth day of April, A. D. eighteen hundred and fifty-six, and all Acts and parts of Acts amendatory thereof and supplementary thereto, and substituting this Act for said Article Four, approved April first, eighteen hundred and seventy-two.

Also, that the Speaker, this day, appointed as a committee on part of the Assembly, under Assembly Concurrent Resolution No. 54—Relative to a Joint Committee on Election Laws—Messrs. Hinshaw, Waters, and Conroy.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 516, above reported.

Read first and second times, rules suspended, and, by unanimous consent, read third time, and passed.

Assembly Joint Resolution No. 3, above reported.

Read first and second times, and referred to the Committee on Federal Relations.

Assembly Bill No. 339, above reported.

Read first and second times, and referred to the Judiciary Committee.

Senate Bill No. 189, above reported.

Assembly amendments concurred in.

Senate Bill No. 288, above reported.

Referred to the Nevada County delegation.

Senate Bills Nos. 252 and 92, above reported.

Assembly amendments to each bill concurred in.

Senate Bill No. 390, above reported.

Ordered enrolled out of its order, on motion of Mr. Lewis.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows:

By Mr. Pierson (for the Joint Committee on Labor): Senate Bill No. 430—An Act to create a bureau of labor and statistics of labor in the State of California.

Read first and second times, ordered on the general file, and ordered printed.

By Mr. Brown of El Dorado: Senate Bill No. 431—An Act to provide for the purchase of certain toll roads in the County of El Dorado.

Read first and second times, and referred to the Committee on Finance and Claims.

By Mr. McCoppin: Senate Bill No. 432—An Act to amend sections three hundred and twenty-four, three thousand and eighty-seven, three thousand and eighty-eight, three thousand and ninety-one, three thousand and ninety-two, three thousand and ninety-three, three thousand and ninety-four, and three thousand and ninety-five of the Civil Code of the State of California.

Read first and second times, and referred to the Committee on Corporations.

By Mr. Brown of Amador: Senate Bill No. 433—An Act to amend section three hundred and eighteen of the Code of Civil Procedure.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Ream: Senate Bill No. 434—An Act for the relief of Klamath School District, Siskiyou County, California.

Read first and second times, and referred to the Committee on Education.

By Mr. Hill: Senate Bill No. 435—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code, relating to chattel mortgages.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Hilborn: Senate Bill No. 436—An Act to amend sections six hundred and eighty and six hundred and eighty-one of the Political Code, relating to the purchase of bonds for the State School Fund.

Read first and second times, and referred to the Committee on Finance and Claims.

By Mr. Craig: Senate Bill No. 437—An Act to regulate the quality and standard illuminating power and the price of gas in all cities within the State of California having a population of one hundred thousand or more.

Read first and second times, and referred to the San Francisco delegation.

MOTIONS AND RESOLUTIONS.

By Mr. Pierson :

Resolved, That the Assembly be respectfully requested to return Senate Bill No. 290 to the Senate for correction.

Adopted.

GENERAL FILE.

Senate Bill No. 401—An Act entitled an Act to legalize the assessment and levy of taxes in the County of Santa Cruz.

Amendment adopted.

Rules suspended, considered engrossed, read third time, and passed.

Title amended.

Senate Bill No. 403—An Act to confer further powers on the Board of Directors of the California Institution for the Education of the Deaf, the Dumb, and the Blind.

Read third time, and passed.

Senate Bill No. 97—An Act to create a new Court in the City and County of San Francisco, to be designated as the Municipal Court of Appeals of the City and County of San Francisco.

Mr. Pierson moved to suspend the rules, to place the bill on its final passage, on which the ayes and noes were demanded by Messrs. McCoppin, Craig, and Pierson, and the motion prevailed by a vote, as follows :

AYES—Messrs. Brown of Amador, Coleman, Craig, Dean, Flint, Goodwin, Gwin, Lambert, Lewis, McGarvey, Murphy of San Francisco, Murphy of San Luis Obispo, Norton, Nunan, Pierson, Ream, Satterwhite, Shirley, Smith, and Whitney—20.

NOES—Messrs. Bones, Boyston, Howe, and McCoppin—4.

Considered engrossed, read third time, and passed.

Ordered to the Assembly without engrossment.

Senate Bill No. 305.

Passed on file.

Senate Bill No. 217—An Act to amend the Political Code respecting the health and quarantine regulations of the City and County of San Francisco.

Amendments concurred in.

Rules suspended, considered engrossed, read third time, and passed.

[Mr. Evans in the chair.]

Mr. Craig, by leave, moved to suspend the rules to take up Assembly Bill No. 187—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California—reported from the Judiciary Committee.

Carried.

On motion of Mr. Craig, the bill was indefinitely postponed.

Substitute for Senate Bill No. 33—An Act to regulate the fees and establish the compensation of the County Recorder of the County of Placer, and to repeal an Act entitled an Act to fix the salary of the County Recorder of the County of Placer, approved March twenty-seventh, eighteen hundred and seventy-four.

Substitute amended.

Rules suspended, considered engrossed, read third time, and passed.

Substitute for Senate Bill No. 81—An Act for the relief of Henry F. Williams, and to provide for the payment of certain money equitably due said Williams.

Amendment to substitute adopted.

Substitute adopted.

Ordered engrossed.

On motion of Mr. Murphy of Santa Clara, the rules were suspended, and Substitute for Senate Bills Nos. 109 and 293—An Act to amend the Civil Code concerning the mortgage of growing crops—was taken up for consideration.

Substitute adopted.

Rules suspended, considered engrossed, read third time, and passed.

On motion of Mr. Murphy of San Luis Obispo, Senate Bill No. 215 was ordered enrolled out of its order.

Senate Bill No. 44—An Act to fix the bonds of the county officers of Ventura County.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 70—An Act to authorize the settlement of certain taxes due on certain portions of the Lick estate, and to cancel the liens against the same.

Substitute for the bill adopted.

Ordered engrossed.

Senate Bill No. 183.

Passed on file.

Mr. Craig submitted a report, as follows :

SENATE CHAMBER,
SACRAMENTO, February 26th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 210—An Act concerning certain street contracts in San Francisco.

Also, Substitute for Senate Bill No. 353—An Act for the encouragement of agriculture and other industries.

J. CRAIG, for Committee.

On motion of Mr. Craig, Senate Bill No. 353 was ordered to the Assembly forthwith.

Senate Bill No. 234—An Act relative to advances bona fide made to agents intrusted with goods, and for the better protection of such advances.

Amendments concurred in.

Rules suspended, considered engrossed.

On motion of Mr. Goodwin, the bill was made a special order for Friday next, at one o'clock.

Senate Bill No. 249—An Act to amend an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two, and concerning swamp and overflowed lands.

Indefinitely postponed.

Senate Bill No. 308—An Act to amend section three hundred and forty of the Penal Code.

Indefinitely postponed.

Senate Bill No. 322—An Act for the relief of purchasers of State lands.

Indefinitely postponed.

Senate Bill No. 333—An Act to amend sections three thousand seven hundred and forty-seven, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety, and three thousand seven hundred and ninety-seven of the Political Code.

Amended.

Rules suspended, considered engrossed, read third time, and passed.

Title amended.

Mr. Evans verbally reported Assembly Bill No. 416, requesting that it be placed on the general file.

So ordered.

Senate Bill No. 381.

Passed on file.

Senate Bill No. 386—An Act to confer further powers upon the Common Council of the City of Santa Barbara.

Amendments adopted.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 392—An Act to amend an Act entitled an Act concerning streams in the County of Santa Clara, approved March twenty-eighth, eighteen hundred and seventy-two.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 422—An Act authorizing the Mayor and Common Council of the City of San José to establish and provide for the maintenance of a Board of Health.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 443—An Act in relation to the Coroner of Santa Clara County.

Rules suspended, considered engrossed, read third time, and passed.

[President in the chair.]

Assembly Bill No. 107—An Act to amend section two hundred and fifty-nine of the Code of Civil Procedure of the State of California.

Read third time, and passed.

Assembly Bill No. 124—An Act for the relief of John Riordon, B. H. Kenny, Patrick Donahue, and W. B. Jourden.

Read third time, and passed.

Assembly Bill No. 71—An Act to provide for the payment of the claim of Harrison Roberts, Luis Raggio, and C. S. Colvig, for services rendered to the State by the capture of Cleodovo Chavez, one of the associates of the bandit Vasquez.

Read third time, and passed.

Assembly Bill No. 334—An Act to authorize a tax for the payment of grand and trial jurors in the County of Alpine.

Read third time, and passed.

Assembly Joint Resolution No. 10—Relative to reserving the fresh waters upon public land.

And Assembly Joint Resolution No. 17—Relative to soldiers' and sailors' additional homesteads.

Each referred to the Judiciary Committee.

On motion of Mr. Dean, Senate Bill No. 41 was ordered printed out of its order.

ADJOURNMENT.

At two o'clock and thirty-five minutes p. m., on motion of Mr. Craig, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
WEDNESDAY, February 27th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Hilborn, Hill, Howe, Lambert, Lewis, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Pierson, Ream, Rogers, Satterwhite, Shirley, Smith, and Whitney.

Quorum present.

The Journal of yesterday not read, and approved, on motion of Mr. Lambert.

PETITIONS.

Petitions were presented, as follows:

By Mr. Beazell—From citizens of Oakland, in favor of dispensing with teaching languages in the public schools.

Received, and ordered on the file, to be considered with the special order for one o'clock to-day.

SENATOR-ELECT.

Mr. S. W. Boring was presented at the bar of the Senate by Mr. B. D. Murphy, as a Senator-elect from Santa Clara County, as successor to Senator Angney, deceased.

Mr. Boring presented his credentials, whereupon the oath of office was administered to him by the President of the Senate, which reads as follows:

I, Samuel W. Boring, do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of California, and will faithfully discharge the duties of Senator for the Seventh Senatorial District, to the best of my ability.

REPORTS.

Reports were submitted, as follows:

By Mr. McGarvey:

WEDNESDAY, February 27th, 1878.

MR. PRESIDENT: The Judiciary Committee, to whom was referred Senate Bill No. 257—An Act for the better protection of stockholders in incorporated companies—have had the same under consideration, and report it back with a substitute, and recommend the passage of the substitute.

Also, Senate Bill No. 135—An Act to add two sections to the Civil Code, to be numbered sections two hundred and thirty-one and two hundred and thirty-two—report the same back, and recommend its passage.

Also, Senate Bill No. 303—An Act to add a section to Title Twelve of Part Four of the First Division of the Civil Code—report the same back with an amendment, and recommend its passage as amended.

Also, Senate Bill No. 396—An Act to amend an Act entitled an Act to regulate practice in the Supreme Court, approved March sixteenth, eighteen hundred and seventy, and to add three sections to the Code of Civil Procedure, to be known as sections fifty-one, fifty-two, and fifty-three—report the same back, a majority recommending that it do not pass.

Also, Senate Bill No. 373—An Act to add a new section to the Civil Code—report the same back, a majority recommending its passage.

Also, Senate Bill No. 408—An Act to amend the Penal Code, in relation to fugitives from justice—report the same back, and recommend its passage.

Also, Senate Bill No. 407—An Act to amend the Code of Civil Procedure—report the same back, and recommend its passage.

Also, Senate Bill No. 397—An Act to add another section to the Code of Civil Procedure, to be known as section four hundred and seventeen—report the same back, with an amendment, and recommend its passage as amended.

Also, the proposition of S. C. Hastings, to make a donation to the State for the purpose of establishing a college of law, and have reported a bill providing for the acceptance thereof and the establishment of such college, and recommend its passage.

R. McGARVEY, Chairman.

By Mr. Howe:

MR. PRESIDENT: The Committee on Commerce and Navigation, to whom was referred Senate Bill No. 164—An Act in relation to warehouse and wharfinger receipts and other matters pertaining thereto—have had the same under consideration, report it back, and recommend its passage as amended.

Also, Senate Bill No. 391—An Act to authorize Loren Coburn, his associates and assigns, to construct, maintain, and keep a wharf and chute at Pigeon Point, County of San Francisco—have had the same under consideration, report it back, and recommend that it do not pass.

HOWE, Chairman.

By Mr. Crane:

SENATE CHAMBER,)
February 20th, 1878. }

MR. PRESIDENT: Your Committee on Counties and County Boundaries having had under consideration Senate Bill No. 387—In relation to fees of officers of Santa Cruz County—report the same back, and recommend its passage.

CRANE, for Committee.

By Mr. Rogers:

MR. PRESIDENT: The Committee on Contingent Expenses have carefully examined the following bills, and recommend they be paid out of the Contingent Fund of the Senate.

GEO. H. ROGERS, Chairman.

Hollister Enterprise, one copy	\$1 00
Stockton Independent, one copy	4 00
Sacramento Journal, one copy	2 00
C. E. Spencer, one copy Record-Union	2 25
George I. Lytle, one copy San Francisco Daily Post	1 25
George H. Holton, one copy San Francisco Chronicle	1 25
To Sacramento Post-office, for Post-office Box 739	5 00

Resolved. That the above amounts each be paid out of the appropriation for the contingent expenses of the Senate.

Rules suspended, and the resolution adopted.

By Mr. McCoppin:

MR. PRESIDENT: Your Committee on Finance and Claims, to whom was referred Senate Bill No. 374—An Act to pay the claim of Hiram Clock—have had the same under consideration, report it back with amendment, recommend the adoption of the amendment, and the passage of the bill as amended.

Also, Senate Bill No. 207—An Act for the relief of John A. Odell—report the same back with amendments, recommend the adoption of amendments, and passage of the bill as amended.

Also, Senate Bill No. 384—An Act for the relief of John J. Hendricks, Charles Carroll, and R. D. Hubbard—report the same back, and recommend its passage.

Also, Senate Bill No. 400—An Act to authorize the Board of Examiners to purchase certain portraits of Pebbles and Baldwin—report the same back, and recommend that it do not pass.

Also, Senate Bill No. 406—An Act for the relief of Henry Maleton—report the same back, and recommend that it do not pass.

Also, Senate Bill No. 399—An Act to appropriate money to assist in the purchase of land,

and the construction of buildings thereon, in the County of Los Angeles, to be used as a County Hospital and Farm—report the same back, with a recommendation that it do not pass.

Also, Senate Bill No. 211—An Act for the relief of the Oakland Guards, of Oakland City—report the same back, with a recommendation that it pass.

Also, Senate Bill No. 320—An Act to amend the Political Code, by adding a new section thereto, to be known as section three thousand three hundred and eighty-eight, in relation to licenses—report the same back, and recommend that it be referred to the Committee on the Judiciary.

Also, Senate Bill No. 325—An Act for the relief of Major John Stratman, and submit the following report:

The gentleman named in the bill, Major John Stratman, was convicted in the Municipal Criminal Court of San Francisco of an alleged libel upon Joseph C. Duncan, and suffered imprisonment in the County Jail for six months.

Owing to this conviction and imprisonment, his business was broken up and he was completely ruined in his financial affairs, and has also suffered greatly in his reputation and character. We believe his conviction and imprisonment undeserved, and would, if we could, gladly recommend the passage of this bill; but we think the State cannot be held liable in such cases, and are therefore compelled to recommend that the bill do not pass.

McCOPPIN, Chairman of Committee.

Senate Bill No. 320, above reported, was referred to the Judiciary Committee.

By Mr. Lewis:

SENATE CHAMBER,
SACRAMENTO, February 27th, 1878. }

MR. PRESIDENT: Your Committee on Education have had under consideration Assembly Bill No. 270—An Act to provide for the distribution of school moneys in the County of Contra Costa.

Also, Assembly Bill No. 233—An Act to amend section one thousand seven hundred and fifty of the Political Code, in regard to the issuance of certificates without examination.

Also, Senate Bill No. 434—An Act for the relief of Klamath School District, Siskiyou County, California.

Also, Senate Bill No. 264—An Act to authorize the Trustees of Snelling School District, of Merced County, to pay the debt of said district—report the same back, and recommend their passage.

Also, Senate Bill No. 395—An Act to amend an Act to provide for the support of common schools of the City and County of San Francisco, and to define the powers and duties of the Board of Education thereof, approved April first, eighteen hundred and seventy-two—report the same back, and ask its reference to the San Francisco delegation.

Also, Senate Bill No. 398—An Act to provide for the building of a school house in Anaheim School District, in the County of Los Angeles, State of California.

Also, Senate Bill No. 198—An Act to reorganize and simplify the school system of the State of California—report the same back, and recommend its indefinite postponement.

LEWIS, Chairman.

Senate Bill No. 398, above reported, was referred to the Los Angeles delegation.

Senate Bill No. 395, above reported, was referred to the San Francisco delegation.

By Mr. Coleman:

MR. PRESIDENT: The Committee on Mines and Mining, to whom was referred Senate Bill No. 402—An Act to amend an Act entitled an Act regulating the sale of mineral lands belonging to the State, approved March twenty-eighth, eighteen hundred and seventy-four—have had the same under consideration, report it back, and recommend its passage.

Also:

JOHN C. COLEMAN, Chairman.

MR. PRESIDENT: The Nevada County delegation, to whom was referred Assembly Substitute for Senate Bill No. 288—An Act entitled an Act to provide for the location, construction, and maintenance of public roads in the County of Nevada, approved March twenty-first, eighteen hundred and seventy-two—have had the same under consideration, report it back, and recommend its passage.

COLEMAN, for Delegation.

Rules suspended, and Senate Bill No. 288, above reported, taken up for consideration.

Assembly substitute concurred in.

By Mr. McGarvey :

MR. PRESIDENT: Your Committee of Free Conference, to whom was referred Assembly Bill No. 102—An Act to authorize the Board of Supervisors of Humboldt County to pay the claim of Abner D. Sevier—have had the same under consideration, and a majority of your committee recommend that the Senate recede from its amendments.

R. MCGARVEY, Chairman.

By Mr. Beazell :

MR. PRESIDENT: The Alameda delegation, to whom was referred Senate Bill No. 364—An Act to provide compensation for the Township Assessor of the Township of Oakland, County of Alameda—report the same back with amendment, and recommend the adoption of amendment, and passage of the bill as amended.

Also, Assembly Bill No. 11—An Act for the relief of the School Department of the City of Oakland—report it back, and recommend its passage.

BEAZELL,
J. W. BONES.

By Mr. Nunan :

MR. PRESIDENT: The San Francisco delegation, to whom was referred Assembly Bill No. 75—An Act to ascertain the amount and provide for the payment of damages done to St. Francis church property, in the City and County of San Francisco, by changing the grade of Montgomery Avenue, in said city and county—have had the same under consideration, report it back, and recommend its passage.

E. NUNAN, Chairman.

On motion of Mr. Craig, the rules were suspended, and Assembly Bill No. 75, above reported, taken up for consideration.

Read third time, and passed.

Mr. Nunan subsequently submitted the following report :

MR. PRESIDENT: The San Francisco delegation, to whom was referred Senate Bill No. 56—An Act to provide homes for homeless children, and for such as whose parents or natural guardians are incapable of taking care of—have had the same under consideration, and report it back, and recommend its passage as amended.

E. NUNAN, Chairman.

GOVERNOR'S MESSAGE.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
SACRAMENTO, February 26th, 1878. }

To the Senate of the State of California :

I have to inform your honorable body that I have approved Senate Bill No. 42—An Act to amend section one hundred and thirteen of the Code of Civil Procedure, so as to change the time for the election of Justices of the Peace in the several counties of the State.

Substitute for Senate Bill No. 61—An Act to incorporate the Town of Alameda.

Senate Bill No. 267—An Act to regulate and limit the payment of money out of the treasury of the City and County of San Francisco.

Senate Bill No. 332—An Act legalizing the assessment book and delinquent list in Los Angeles County.

Senate Bill No. 370—An Act to authorize and require the Board of Supervisors of San Joaquin County to allow a claim of S. G. D. Dunbar, and to authorize and require the Auditor of said county to draw a warrant therefor, and to authorize and require the Treasurer of said county to pay the same.

WILLIAM IRWIN, Governor.

ASSEMBLY MESSAGES.

The following messages were received from the Assembly :

ASSEMBLY CHAMBER,
SACRAMENTO, February 26th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, passed Senate Substitute for Senate Bill No. 416, and Senate Bill No. 417—An Act for the relief of sufferers by the late storm and overflow.

Also, passed Assembly Bill No. 575—An Act in relation to road, poll, and property taxes in the Town of Crescent City, in Del Norte County.

Also, Assembly Bill No. 580—An Act prescribing the duties and fixing the salaries of the Board of Supervisors of the County of Santa Cruz, and ordered said bills transmitted without engrossment.

And, also, return herewith Senate Bill No. 290—An Act to amend section three thousand four hundred and forty-three of the Political Code—as requested by resolution.

I am further instructed to return Assembly Bill No. 41, together with the Senate Substitute, as there is no indorsement on either of said papers to show that they were passed by your honorable body.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, February 27th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twenty-sixth day of February, A. D. eighteen hundred and seventy-eight, passed Senate Bill No. 87—An Act to amend section nine hundred and sixty-nine of the Code of Civil Procedure.

Also, Senate Bill No. 112—An Act to amend section one thousand one hundred and sixty-six of the Code of Civil Procedure, relating to forcible and unlawful detainer.

Also, Senate Bill No. 118—An Act to amend section eight hundred and ninety-five of the Code of Civil Procedure.

Also, Senate Bill No. 193—An Act to amend section two thousand one hundred and eighty of the Civil Code.

Also, Senate Bill No. 401—An Act to legalize the assessment and levy of taxes in the County of Santa Cruz.

And indefinitely postponed Senate Bill No. 160—An Act to amend section one thousand three hundred and eighty-six of the Penal Code.

And passed Senate Bill No. 216—An Act to amend section three hundred and seventy-six of the Penal Code.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bills Nos. 75 and 580, above reported.

Each read first and second times, and referred to the delegations named in the bills.

Assembly Bill No. 41, and Senate Substitute for the same, were temporarily laid on the table.

Senate Bill No. 290, above reported.

Referred to the Judiciary Committee.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows:

By the Judiciary Committee: Senate Bill No. 438—An Act to accept a proposition of S. C. Hastings, and to establish a College of Law.

Read first and second times, and ordered on the general file.

By Mr. Goodwin: Senate Bill No. 439—An Act to amend section one thousand three hundred and eighty-six of the Civil Code.

By Mr. Curtis: Senate Bill No. 440—An Act to amend section three thousand seven hundred and seventy-nine of the Political Code.

By Mr. McGarvey: Senate Bill No. 441—An Act to amend section three thousand four hundred and sixty-nine of the Civil Code of the State of California.

Also, Senate Bill No. 442—An Act to amend section one thousand one hundred and sixty-one of the Code of Civil Procedure of the State of California.

Also, Senate Bill No. 443—An Act to amend section eight hundred and twenty-one of the Civil Code of the State of California.

Each of the above bills read first and second times, and referred to the Judiciary Committee.

By Mr. Fowler: Senate Bill No. 444—An Act to quiet title to town lots in the City of Visalia.

Read first and second times, and ordered on the general file.

By Mr. Hilborn: Senate Bill No. 445—An Act to provide for the election of a County Auditor in the County of Solano, and to repeal an Act entitled an Act making the County Recorder of Solano County ex officio Auditor of said county, and fixing his salary, approved January twenty-eighth, eighteen hundred and seventy-six.

Read first and second times, rules suspended, and the bill taken up for consideration.

Considered engrossed, and, by unanimous consent, read third time, and passed.

By Mr. Pierson: Senate Bill No. 446—An Act to amend section fifty-five of the Code of Civil Procedure, in relation to the place of holding District Court.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Nunan: Senate Bill No. 447—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco.

Also, Senate Bill No. 448—An Act concerning the old United States Marine Hospital and grounds, and the old Marine Hospital building standing thereon.

Each of the above read first and second times, and referred to the San Francisco delegation.

By Mr. Pierson: Senate Joint Resolution No. 42—Relating to the office of the United States Surveyor-General for California.

Read first and second times, and referred to the Committee on Federal Relations.

MOTIONS AND RESOLUTIONS.

Mr. Smith introduced a resolution committing the Legislature, at this session, to legislate upon the question of fares and freights, for reasons set forth in the resolution, that all political parties have demanded such action in their platforms heretofore adopted.

Mr. Lewis offered an amendment.

On motion of Mr. Fowler, the resolution, with pending amendment, was ordered printed, and made a special order for Saturday next, at twelve o'clock M.

Special orders set for twelve o'clock M., Assembly Bill No. 329—An Act to amend an Act entitled an Act to establish and maintain a training ship in the City and County of San Francisco, approved February fifteenth, eighteen hundred and seventy-six—was now taken up.

Mr. Murphy of Santa Clara moved to make the bill a special order for Thursday, at one o'clock P. M.

Lost.

Read third time.

On the passage of the bill, the ayes and noes were demanded by the requisite number, and the bill passed by a vote, as follows :

AYES—Messrs. Bones, Boyston, Brown of Amador, Coleman, Craig, Dean, Donovan, Flint, Gwin, Hill, Howe, Lewis, McCoppin, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Nunan, Pierson, and Rogers—19.

NOES—Messrs. Beazell, Boring, Brown of El Dorado, Curtis, Evans, Fowler, Goodwin, Hilborn, McGarvey, Murphy of San Luis Obispo, Norton, Ream, Satterwhite, and Shirley—14.

Mr. McCoppin gave notice that on to-morrow he would move to reconsider the vote by which the bill passed.

SPECIAL ORDER—SET FOR ONE O'CLOCK P. M.

Senate Bill No. 309—An Act to add a new section to the Political Code.

[Mr. Howe in the chair.]

Mr. Craig moved to indefinitely postpone the bill, on which the ayes and noes were demanded by Messrs. Craig, Donovan, and Dean, and the Senate refused by a vote, as follows :

AYES—Messrs. Bones, Brown of Amador, Craig, Crane, Curtis, Dean, Donovan, Flint, Goodwin, Howe, Lewis, Nunan, Pierson, and Rogers—14.

NOES—Messrs. Boring, Boyston, Coleman, Curtis, Evans, Fowler, Gwin, Hilborn, Hill, Lambert, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Ream, Satterwhite, Shirley, Smith, and Whitney—19.

Mr. Donovan moved to recommit the bill to its author, with special instructions to amend, as follows : In line seven, insert "in the City and County of San Francisco, and in " after the word "except."

On which the ayes and noes were demanded by Messrs. Pierson, Craig, and Satterwhite, and the Senate refused by a vote, as follows :

AYES—Messrs. Bones, Brown of Amador, Craig, Crane, Curtis, Dean, Donovan, Flint, Goodwin, Howe, Lewis, Nunan, Pierson, Rogers, and Smith—14.

NOES—Messrs. Beazell, Boring, Boyston, Brown of El Dorado, Coleman, Curtis, Evans, Fowler, Gwin, Hilborn, Lambert, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Ream, Satterwhite, Shirley, and Whitney—18.

At four o'clock P. M., Mr. Pierson moved to adjourn, on which the ayes and noes were demanded by Messrs. Satterwhite, McCoppin, and Craig, and the motion was lost by a vote, as follows :

AYES—Messrs. Bones, Brown of Amador, Craig, Crane, Curtis, Dean, Donovan, Flint, Goodwin, Howe, Lewis, Nunan, Pierson, and Rogers—14.

NOES—Messrs. Beazell, Boring, Boyston, Brown of El Dorado, Coleman, Evans, Fowler, Gwin, Hilborn, Hill, Lambert, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Norton, Ream, Satterwhite, Shirley, Smith, and Whitney—22.

Mr. Craig submitted a report, as follows :

SENATE CHAMBER,
SACRAMENTO, February 27th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 378—An Act to amend an Act entitled an Act in relation to the county officers of Santa Clara County, their fees and salaries, approved February tenth, eighteen hundred and seventy-six.

Also, Senate Bill No. 379—An Act to amend an Act entitled an Act to re-incorporate the City of San José, approved March seventeenth, eighteen hundred and seventy-four.

Also, Senate Bill No. 380—An Act concerning the Santa Clara Avenue, and certain public lands of the City of San José, in the County of Santa Clara.

Also, Substitute for Senate Bill No. 202—An Act for the relief of Edward C. Kirby and John Burke.

Also, Senate Bill No. 256—An Act conferring further powers upon the Board of Supervisors of the City and County of San Francisco.

Also, Senate Bill No. 393—An Act to authorize the Board of Supervisors of the County of Santa Clara to issue bonds in payment of certain indebtedness.

Also, Senate Bill No. 162—An Act concerning licenses in the County of San Benito.

Also, Senate Bill No. 404—An Act to amend an Act entitled an Act fixing the salaries and compensation of certain officers of San Luis Obispo County, approved March thirty-first, eighteen hundred and seventy-six.

Also, Substitute for Senate Bill No. 136—An Act to fund certain indebtedness of Tulare County.

Also, Senate Bill No. 409—An Act conferring additional powers upon the Board of Supervisors of Alameda County.

Also, Senate Bill No. 356—An Act to amend sections three thousand and seventy-four, three thousand and seventy-seven, and three thousand and eighty-one of the Political Code, and to add a new section thereto, to be numbered section three thousand and eighty-three—relative to registry of births, marriages, and deaths.

Also, Senate Bill No. 411—An Act to authorize the Trustees of the I. O. O. F. of the City of San Francisco to lease the lot of land, in the City of San Francisco, held by said Trustees for the I. O. O. F. of said city.

Also, Senate Bill No. 346—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board.

Also, Senate Bill No. 217—An Act to amend the Political Code, respecting the health and quarantine regulations of the City and County of San Francisco.

J. CRAIG, Chairman.

Senate Bill No. 309, resumed.

At four o'clock and four minutes P. M., Mr. Lewis moved to adjourn.

On which the ayes and noes were demanded by the requisite number, and the Senate refused by a vote, as follows:

AYES—Messrs. Bones, Brown of Amador, Craig, Crane, Curtis, Dean, Donovan, Flint, Goodwin, Lewis, Nunan, Pierson, and Rogers—13.

NOES—Messrs. Boring, Boyston, Coleman, Evans, Fowler, Gwin, Hilborn, Hill, Howe, Lambert, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Ream, Satterwhite, Shirley, Smith, and Whitney—20.

Mr. Craig moved to refer the bill to the Committee of the Whole, with special instructions, as follows:

Insert after the word "languages," the words "by special teachers."

Mr. Satterwhite moved the previous question, which was seconded by Mr. Murphy of San Francisco and Mr. Evans.

Mr. Pierson moved a call of the Senate, on which the ayes and noes were demanded by Messrs. Lewis, Pierson, and McCoppin, and the Senate refused by a vote, as follows:

AYES—Messrs. Bones, Brown of Amador, Craig, Crane, Curtis, Dean, Donovan, Flint, Goodwin, Howe, Lewis, Nunan, Pierson, and Rogers—14.

NOES—Messrs. Beazell, Boring, Boyston, Brown of El Dorado, Coleman, Evans, Fowler, Gwin, Hilborn, Hill, Lambert, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Norton, Ream, Satterwhite, Shirley, Smith, and Whitney—22.

At four o'clock and fifteen minutes P. M., Mr. Lewis moved to adjourn until six o'clock to-morrow morning, on which the ayes and noes were demanded by the requisite number, and the motion was lost by a vote, as follows:

AYES—Messrs. Bones, Brown of Amador, Craig, Crane, Curtis, Dean, Donovan, Flint, Goodwin, Howe, Lambert, Lewis, Nunan, Pierson, and Rogers—15.

NOES—Messrs. Boring, Boyston, Brown of El Dorado, Coleman, Evans, Fowler, Gwin, Hilborn, Hill, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Ream, Satterwhite, Shirley, Smith, and Whitney—19.

Mr. Pierson moved a call of the Senate, upon which the ayes and

noes were demanded by the requisite number, and the Senate refused by a vote, as follows:

AYES—Messrs. Bones, Brown of Amador, Craig, Crane, Curtis, Dean, Donovan, Flint, Goodwin, Howe, Lewis, Nunan, Pierson, and Rogers—14.

NOES—Messrs. Boring, Boyston, Coleman, Evans, Fowler, Gwin, Hilborn, Hill, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Ream, Satterwhite, Shirley, Smith, and Whitney—18.

Mr. Murphy of San Francisco moved the previous question, which was duly seconded, and the Chair decided the call for the previous question sustained upon a division vote.

Mr. Lewis raised a point of order, that it required a majority of all the Senators elected, being present and voting, to sustain the call for the previous question.

The Chair overruled the point of order.

Mr. Lewis appealed from the decision of the Chair upon the question, "Shall the decision of the Chair stand as the judgment of the Senate?"

The ayes and noes were demanded by the requisite number, and the Chair was sustained by a vote, as follows:

AYES—Messrs. Beazell, Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Curtis, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Hilborn, Hill, Lambert, Lewis, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Shirley, Smith, and Whitney—30.

NOES—Messrs. Craig, Crane, and Dean—3.

The Chair stated that the main question before the Senate was on the amendment of Mr. Craig as special instructions.

At four o'clock and forty minutes P. M., Mr. Lewis moved to adjourn, on which the ayes and noes were demanded by the requisite number, and the motion was lost by a vote, as follows:

AYES—Messrs. Bones, Brown of Amador, Craig, Crane, Curtis, Donovan, Flint, Howe, and Lambert—9.

NOES—Messrs. Boring, Boyston, Coleman, Evans, Fowler, Gwin, Hilborn, Hill, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Ream, Rogers, Satterwhite, Shirley, Smith, and Whitney—19.

Upon a demand to have the roll called upon ordering the main question, the ayes and noes were demanded by the requisite number, and it was decided by a vote, as follows:

AYES—Messrs. Boring, Boyston, Coleman, Evans, Fowler, Gwin, Hilborn, Hill, Howe, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Ream, Satterwhite, Shirley, Smith, and Whitney—19.

NOES—Messrs. Crane and Curtis—2.

On the question now before the Senate, to refer, with special instructions, as offered by Mr. Craig, the ayes and noes were demanded by the requisite number, and the Senate refused by a vote, as follows:

AYES—Messrs. Curtis, and Smith—2.

NOES—Messrs. Beazell, Boring, Boyston, Coleman, Evans, Fowler, Gwin, Hilborn, Hill, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Ream, Satterwhite, Shirley, and Whitney—19.

[President in the chair.]

Mr. Lewis moved a call of the Senate.

The Chair stated that the motion was not in order—that, under the operations of the previous question, nothing was in order now but the question on the passage of the bill.

Mr. Lewis appealed from the decision of the Chair.

On the appeal, the ayes and noes were demanded by the requisite number, and the Chair was sustained by a vote, as follows:

AYES—Messrs. Boring, Boyston, Coleman, Curtis, Donovan, Evans, Flint, Fowler, Gwin, Hilborn, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Ream, Satterwhite, Shirley, Smith, and Whitney—21.

NOES—Messrs. Bones, Brown of Amador, Crane, Dean, Hill, Lewis, and Pierson—7.

At five o'clock and fifteen minutes p. m., Mr. Lewis moved to adjourn, on which the ayes and noes were demanded by the requisite number, and the motion was lost by a vote, as follows:

AYES—Messrs. Bones, Brown of Amador, Craig, Crane, Curtis, Dean, Donovan, Goodwin, Howe, Lewis, Nunan, Pierson, and Rogers—13.

NOES—Messrs. Boring, Boyston, Coleman, Evans, Fowler, Gwin, Hilborn, Hill, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Ream, Satterwhite, Shirley, Smith, and Whitney—18.

Read third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. McCoppin, Fowler, and Whitney, and it passed by a vote, as follows:

AYES—Messrs. Boring, Boyston, Coleman, Craig, Evans, Fowler, Gwin, Hilborn, Hill, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Ream, Satterwhite, Shirley, and Whitney—18.

NOES—Messrs. Bones, Brown of Amador, Crane, Curtis, Dean, Donovan, Goodwin, Howe, Lewis, Nunan, Pierson, Rogers, and Smith—13.

Mr. Craig gave notice that on to-morrow he would move to reconsider the vote by which the bill passed.

ADJOURNMENT.

At five o'clock and twenty-three minutes p. m., on motion of Mr. Fowler, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
THURSDAY, February 28th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Nunan, Pierson, Ream, Rogers, Satterwhite, Shirley, Smith, and Whitney.

Quorum present.

The Journal of yesterday not read, and approved, on motion of Mr. Lambert.

REPORTS.

Reports were submitted, as follows:

By Mr. Lambert:

MR. PRESIDENT: Your Committee on Federal Relations have had under consideration Assembly Joint Resolution No. 28—Relative to increased mail service in Santa Barbara County—and herewith report the same back, and recommend its passage.

Also, Senate Joint Resolution No. 34—Relative to viticulture—and report the same back with a substitute, and recommend the adoption and passage of the substitute.

Also, Senate Joint Resolution No. 29—Relating to United States revenue laws—with an amendment, and a majority of the committee recommend the passage of the resolution as amended.

LAMBERT, Chairman.

By Mr. Ream:

SENATE CHAMBER,
SACRAMENTO, February 27th, 1878. }

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 46—An Act to prevent the adulteration of milk, and to establish the office of Milk Inspector in and for the City and County of San Francisco—report that they have had the same under consideration, and report the same back to the Senate with a substitute for the bill, and recommend the passage of the substitute.

D. REAM, Chairman.

By Mr. Boyston:

MR. PRESIDENT: Your Committee on Military Affairs, to whom was referred Assembly Substitute for Assembly Bills Nos. 34 and 52—An Act to amend the Political Code of the State of California, and other Acts concerning the National Guard—have carefully considered the bill, and now report the same back, and recommend its passage.

J. S. BOYSTON, Chairman.

By Mr. Pierson:

MR. PRESIDENT: The Judiciary Committee, to whom was referred Senate Bill and Substitute No. 365—An Act to provide for the issuance of certain bonds by the County of Alameda, and for the payment of the same—have had the same under consideration, and report that, in view of the decision of the Supreme Court in the case of Hoagland vs. the City of Sacramento, it would be an unconstitutional exercise of legislative power to impose upon the Town of Alameda the payment of the bonds referred to in these Acts, and, therefore, the committee report back a substitute for Senate Bill No. 365 and Substitute, and recommend the passage of the substitute.

Also, Assembly Joint Resolution No. 17—Relative to soldiers' and sailors' additional homesteads—report the same back, and recommend that it do not pass.

Also, Assembly Joint Resolution No. 10—Relative to reserving the fresh waters upon public lands—report the same back, and recommend its passage.

Also, Assembly Bill No. 339—An Act to amend section two thousand and twenty-one of the Code of Civil Procedure by adding a new subdivision thereto, relative to depositions of material witnesses—report the same back, and recommend its passage.

Also, Senate Bill No. 429—An Act to amend section three thousand eight hundred and eighty-one of the Political Code—report the same back, and recommend its passage.

Also, Senate Bill No. 427—An Act to regulate and provide for the payment of the fees of medical experts as witnesses in civil and criminal actions in the Courts—report the same back with amendments, and recommend its passage as amended.

Also, Senate Bill No. 418—An Act to amend section six hundred and two of the Penal Code—report the same back, and recommend its passage.

Also, an Act to amend the Political Code by adding a new section thereto, to be known as section three thousand three hundred and eighty-eight, in relation to licenses—report the same back, and recommend its passage.

PIERSON, Chairman pro tem.

By Mr. Nunan:

MR. PRESIDENT: The San Francisco delegation, to whom was referred Assembly Bill No. 306—An Act to amend an Act entitled an Act to provide for the completion of the building, in the

City and County of San Francisco, known as the new City Hall, approved March twenty-fourth, eighteen hundred and seventy-six—have had the same under consideration, report it back, and recommend that it do not pass.

Also, Senate Bill No. 420—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board—have had the same under consideration, report it back, and recommend its passage.

E. NUNAN, Chairman.

By Mr. Brown of El Dorado:

MR. PRESIDENT: The delegation to whom was referred Senate Bill No. 345—An Act to repeal an Act entitled an Act to protect agriculture in the County of El Dorado, approved March twentieth, eighteen hundred and seventy-six—having had the same under consideration, report it back to the Senate, and recommend its passage.

BROWN, for the Delegation.

MOTIONS AND RESOLUTIONS.

Mr. Flint offered a resolution, as follows:

Resolved, That the Engrossing Clerk be instructed to engross Senate Bill No. 401 out of order; also, that the Enrolling Clerk be instructed to enroll the same out of order.

Adopted.

Mr. Craig, in accordance with previous notice, moved to reconsider the vote by which Senate Bill No. 309 passed on yesterday; title, as follows: An Act to add a new section to the Political Code, in reference to dispensing with teaching the languages in the public schools below the High Schools—and moved to defer the consideration of the motion until Saturday next.

Mr. Evans made a point of order that the bill, having been twice disposed of, it is now not in order to move a further reconsideration, and read authorities to sustain his point of order.

The motion of Mr. Craig, to postpone until Saturday next, was now put and lost.

The Chair decided in favor of the point of order raised by Mr. Evans, giving his construction of the latter clause of standing rule thirty-four, reading, "nor shall any question be reconsidered more than once," to mean any bill, motion, and resolution, and for other reasons, given at length, sustained the point of order, and ruled that the motion to reconsider was not in order.

Mr. Craig appealed from the decision of the Chair.

Upon the question, "Shall the decision of the Chair stand as the judgment of the Senate?" the ayes and noes were demanded by Messrs. Craig, Pierson, and Lewis, and the ruling was sustained by a vote, as follows:

AYES—Messrs. Boring, Boyston, Coleman, Evans, Fowler, Gwin, Haymond, Hilborn, Hill, Lambert, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Ream, Rogers, Satterwhite, Shirley, Smith, and Whitney—23.

NOES—Messrs. Bones, Brown of Amador, Craig, Crane, Curtis, Dean, Donovan, Flint, Goodwin, Howe, Lewis, Nunan, and Pierson—13.

Mr. Flint submitted a report, as follows:

SENATE CHAMBER,

SACRAMENTO, February 28th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 401—An Act to legalize the assessment and levy of taxes in the County of Santa Cruz.

FLINT, for the Committee.

On motion of Mr. Evans, action, as shown by the history of substitute for Assembly Bill No. 41, which was returned from the Assembly for correction, was reconsidered, and the bill ordered to the Assembly with corrected history of the same.

Mr. Goodwin submitted a report, as follows:

MR. PRESIDENT: I herewith report Assembly Bill No. 87 back, with its passage recommended.

GOODWIN, for Delegation.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

Mr. Beazell moved a suspension of the rules, to take up Senate Bill No. 365, reported this morning from the Judiciary Committee.

Agreed to.

Senate Bill No. 365.

Substitute for the bill, reported from the committee, adopted.

Rules suspended, considered engrossed, read third time, and passed.

Ordered to the Assembly without engrossment.

On motion of Mr. Lambert, the rules were suspended, and the report of the Committee on Federal Relations was taken up for consideration.

Assembly Joint Resolution No. 28.

Read third time, and passed.

Senate Joint Resolution No. 34.

Substitute adopted.

Considered engrossed, read third time, and passed.

Senate Joint Resolution No. 29.

Amendments concurred in.

Considered engrossed, read third time, and passed.

And each resolution ordered to the Assembly forthwith.

On motion of Mr. Hilborn, the rules were suspended, and Assembly Bill No. 221 taken from the general file, and referred to the Judiciary Committee.

Mr. McCoppin offered a resolution, as follows:

Resolved, That Senator Boring be and he hereby is added to the following committees: Finance and Claims, Internal Improvements, Public Buildings other than Prison Buildings, County and County Boundaries.

Adopted.

GENERAL FILE.

Senate Bill No. 210—An Act concerning certain street contracts in San Francisco.

Mr. Donovan offered an amendment, and moved the reference of the bill with the amendment, as special instructions, to the Committee of the Whole.

Mr. Pierson submitted a substitute for the bill, and moved the reference of the bill and substitute to its author, Mr. Murphy of San Francisco, with instructions to report to-morrow, and that the bills be printed out of their order.

The motion of Mr. Pierson prevailed.

Senate Bills Nos. 205 and 305.

Passed on file.

Senate Bill No. 183—An Act to provide for the payment of John

Sutherland, Jr., for his services rendered in destroying the Vasquez banditti.

Amended.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 381—An Act to exempt firemen of the Eureka Fire Company No. 1, of Visalia, Tulare County, from the payment of poll and road tax.

On motion of Mr. Fowler, laid on the table.

Senate Bill No. 389—An Act to prevent the trespassing of animals upon private property in the County of Yolo.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Bill No. 182—An Act to prevent the circulation of bogus election tickets, and to prevent fraud upon voters.

Amended.

Read third time, and passed.

[Mr. Rogers in the chair.]

Senate Bill No. 248—An Act for the increase and preservation of forest areas of the State.

Amended.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Bill No. 234.

Ordered at the head of the general file for to-morrow.

On motion of Mr. Murphy of Santa Clara, the rules were suspended, and Senate Bill No. 438 taken from the general file, and re-referred to the Judiciary Committee.

Assembly Bill No. 416—An Act to regulate the terms of the County Court of San Joaquin County.

Read third time, and passed.

Senate Bill No. 41.

Passed on file.

Substitute for Senate Bill No. 257—An Act imposing a tax on the issue of certificates of stock corporations.

Substitute adopted.

Rules suspended, considered engrossed, read third time, and passed.

Mr. Flint (by leave) submitted a report, as follows:

MR. PRESIDENT: The Santa Cruz delegation, to whom was referred Assembly Bill No. 580—An Act prescribing the duties and fixing the salaries of the Supervisors of the County of Santa Cruz—reports the same back, and recommends its passage.

FLINT, for Delegation.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

By Mr. Whitney:

MR. PRESIDENT: The Sonoma delegation, to whom was referred Assembly Substitute for Assembly Bill No. 94—An Act to regulate fees of officers, and salaries of certain officers, in the County of Sonoma, and to repeal certain Acts in relation thereto—report it back to the Senate with amendment, and recommend the adoption of the amendment, and the passage of the substitute as amended.

A. P. WHITNEY, for Delegation.

Rules suspended, read third time, and passed.

ASSEMBLY MESSAGE.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, February 28th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twenty-fifth day of February, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 528—An Act to consolidate a portion of Magnolia School District, Nevada County, into Lone Star School District, in the County of Placer.

Also, passed Assembly Bill No. 88—An Act to amend section three hundred and seven of the Civil Code.

Also, substitute for Assembly Bills Nos. 430 and 481—An Act to provide for the election of an attorney in the City of Sacramento.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 528, above reported.

Read first and second times, and referred to the Nevada and Placer County delegations.

Assembly Bill No. 88, above reported.

Read first and second times, and referred to the Committee on Corporations.

Substitute for Assembly Bills Nos. 430 and 481, above reported.

Read first and second times, and referred to the Sacramento County delegation.

The rules were suspended to take up the following bills:

Senate Bill No. 207—An Act for the relief of John A. Odell.

Amendments concurred in.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 374—An Act to pay the claim of Hiram Clock.

Amended.

Rules suspended, considered engrossed, read third time, and passed.

Mr. Boyston submitted the following report:

SENATE CHAMBER,
SACRAMENTO, February 27th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 215—An Act supplementary to an Act entitled an Act to provide for the construction of a railroad from the Bay of San Luis Obispo, in the County of San Luis Obispo, to Santa Maria, in the County of Santa Barbara.

Also, Senate Bill No. 32—An Act to amend section six hundred and sixty-three of the Code of Civil Procedure.

Also, Senate Bill No. 375—An Act making an appropriation to pay the expenses of Presidential Electors.

Also, Senate Bill No. 229—An Act to establish the grade of Seventh Street, between Bryant and Brannan Streets, in the City and County of San Francisco.

Also, Senate Bill No. 287—An Act for the relief of Charles Duke, J. D. Billingsley, D. Malloch, William Kincaid, Stacy Taylor, A. M. Abbey, and M. S. Merrill, all of the County of Tulare.

Also, Senate Bill No. 161—An Act regulating the powers of the Board of Supervisors of the County of Placer.

Also, Senate Bill No. 49—An Act to amend section one thousand six hundred and twenty-four of the Civil Code.

Also, Senate Bill No. 116—An Act to define the powers of the Board of Supervisors of the City and County of San Francisco with reference to contracts.

Also, Senate Bill No. 151—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco.

Also, Senate Bill No. 254—An Act to ratify and confirm ordinance number sixty-four, passed by the City Council of the City of Stockton, and approved by the Acting Mayor of said city, on the eighth day of December, eighteen hundred and seventy-seven.

Also, Senate Bill No. 265—An Act to amend sections one and three of an Act entitled an Act to authorize the Assessor of the City and County of San Francisco to appoint deputies, approved January twenty-fifth, eighteen hundred and seventy.

Also, Senate Bill No. 182—An Act to fix the salary of the Superintendent of Public Schools in the County of Calaveras.

Also, Senate Bill No. 390—An Act supplementary to and amendatory of an Act entitled an Act to incorporate the Town of Red Bluff, Tehama County, California, approved March thirty-first, eighteen hundred and seventy-six.

Also, Senate Bill No. 89—An Act to amend section nine of an Act entitled an Act to separate the office of County Recorder from the office of County Clerk, and regulate the salaries of certain officers of the County of Merced, approved March twenty-sixth, eighteen hundred and seventy-four.

Also, Senate Bill No. 238—An Act to amend an Act entitled an Act to incorporate the City of Nevada, and all Acts supplementary thereto.

Also, Senate Bill No. 118—An Act to amend section eight hundred and ninety-five of the Code of Civil Procedure.

Also, Senate Bill No. 409—An Act conferring additional powers upon the Board of Supervisors of Alameda County.

Also, Senate Bill No. 216—An Act to amend section three hundred and seventy-six of the Penal Code.

Also, Senate Bill No. 87—An Act to amend section nine hundred and sixty-nine of the Code of Civil Procedure.

Also, Senate Bill No. 112—An Act to amend section one thousand one hundred and sixty-six of the Code of Civil Procedure, in relation to forcible or unlawful detainer.

Also, substitute for Senate Bill No. 193—An Act to amend section two thousand one hundred and eighty of the Civil Code.

Also, Senate Bill No. 401—An Act to legalize the assessments and levy of taxes in the County of Santa Cruz.

And this day, at two o'clock P. M., presented the same to the Governor.

JOHN S. BOYSTON, for Committee.

ADJOURNMENT.

At two o'clock P. M., on motion of Mr. Pierson, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
FRIDAY, March 1st, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCoppin, McFarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Pierson, Ream, Rogers, Satterwhite, Shirley, Smith, and Whitney.

Quorum present.

The Journal of yesterday read and approved.

PETITIONS.

Petitions were presented, as follows:

By Mr. Howe—A memorial from the Trustees of the San Francisco Lying-in Hospital and Foundling Asylum, asking an appropriation of thirty thousand dollars.

Received, and referred to the Committee on Finance and Claims, and ordered printed.

By Mr. Flint—From the Directors and Trustees of the Pacific Dispensary for Women and Children, relative to said dispensary, and asking an appropriation of twenty-five thousand dollars.

Received, and referred to the Committee on Finance and Claims.

REPORTS.

Reports were submitted, as follows :

By Mr. Satterwhite :

MR. PRESIDENT : Your Committee on Irrigation and Water Rights have had under consideration Senate Bill No. 13—An Act to provide a system of irrigation—and report the same back with a substitute, and a majority recommend passage of substitute.

SATTERWHITE, Chairman.

By Mr. Hilborn :

MR. PRESIDENT : Your Committee on Fisheries and Game have had under consideration Senate Bill No. 383—An Act to prevent the destruction of fish in Kings River—and herewith report the same back, and recommend its passage as amended.

HILBORN, Chairman.

By Mr. McGarvey :

MR. PRESIDENT : The Judiciary Committee, to whom was referred Senate Bill No. 214—An Act in relation to the House of Correction of the City and County of San Francisco—report the same back, and recommend its passage.

Also, Senate Bill No. 438—An Act to accept a proposition of S. C. Hastings, and to establish a College of Law—report the same back with a substitute, and recommend the passage of the substitute.

Also, Senate Bills Nos. 188, 219, 79, and Assembly Bill No. 274, all relating to the re-registering of voters in different counties—report them back, and recommend that they be referred to the Committee on Proposed Amendments to Election Laws.

R. MCGARVEY, Chairman.

Senate Bills Nos. 188, 219, 79, and Assembly Bill No. 274, above reported.

Referred to the Joint Committee on Proposed Amendments to the Election Laws.

Subsequently, on motion of Mr. McGarvey, the rules were suspended, and Senate Bill No. 438, above reported, taken up for consideration.

Substitute adopted.

Considered engrossed, read third time, and passed.

Ordered to Assembly without engrossment.

Mr. Satterwhite verbally reported, with amendments, recommending the passage of the bill as amended, Assembly Bill No. 207.

The bill was ordered at the head of the general file for to-day.

By Mr. Nunan :

MR. PRESIDENT : The San Francisco delegation, to whom was referred Assembly Bill No. 83—An Act to prohibit "piece clubs," and to prevent extortion from candidates for office—have had the same under consideration, report it back, and recommend its passage.

Also, Assembly Bill No. 354—An Act for the relief of Joseph O'Neil—have had the same under consideration, report it back, and recommend its passage.

Also, substitute for Senate Bill No. 8—An Act for the relief of Otto Kloppenberg—have had the same under consideration, report it back, and recommend its passage.

E. NUNAN, Chairman.

Mr. Curtis, for the delegation, verbally reported, recommending its passage, Assembly Bill No. 406—An Act to confer additional powers upon the Board of Trustees of the City of Sacramento.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

Also, by Mr. Curtis, substitute for Assembly Bills Nos. 430 and 481—An Act to provide for the election of an Attorney in the City of Sacramento—recommending its passage as amended.

Rules suspended, and the bill taken up.

Amendment adopted.

Read third time, and passed.

Mr. Murphy of San Francisco, for the delegation, verbally reported, recommending the passage of the original bill, Senate Bill No. 210, with substitute for same—An Act concerning certain street contracts in San Francisco.

The bill was ordered at the head of the general file for to-morrow.

ASSEMBLY MESSAGE.

The following message was received from the Assembly :

ASSEMBLY CHAMBER,
SACRAMENTO, March 1st, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twenty-eighth day of February, A. D. eighteen hundred and seventy-eight, passed Senate Joint Resolution No. 26—Memorializing Congress to abolish the duty on grain bags, and the material of which they are made.

Also, passed Senate Bill No. 174—An Act to ratify and validate a certain contract of the City and County of San Francisco.

Also, amended and passed Senate Bill No. 237—An Act to create a Board of Fire and Police Commissioners for the City of Oakland.

Also, concurred in Senate amendments to Assembly Bill No. 94 and Assembly Bill No. 245.

And, on this day, passed Senate Bill No. 404—An Act to amend an Act entitled an Act fixing the salaries and compensation of certain officers of San Luis Obispo County, approved March thirty-first, eighteen hundred and seventy-six.

Also, substitute for Senate Bill No. 136—An Act to fund certain indebtedness of Tulare County.

Also, passed Assembly Bill No. 183—An Act to regulate the registration of voters, and to secure the purity of elections in the City and County of San Francisco, and ordered the same transmitted without engrossment.

Also, adopted Assembly Concurrent Resolution No. 58—Relative to correcting error in Assembly Bill No. 94.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Concurrent Resolution No. 58, above reported.

Concurred in.

Assembly Bill No. 183, above reported.

Read first and second times, and referred to the San Francisco delegation.

Senate Bill No. 237, above reported.

Referred to the Alameda County delegation.

On motion of Mr. Murphy of San Luis Obispo, Senate Bill No. 404 was ordered enrolled out of its order.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows :

By Mr. Shirley: Senate Bill No. 449—An Act to amend an Act entitled an Act to incorporate the Town of Martinez, and to provide for the government thereof, approved April first, eighteen hundred and seventy-six.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed, and ordered to the Assembly without engrossment.

By Mr. Lewis: Senate Bill No. 450—An Act to enable railroad companies to complete their railroads.

Read first and second times, and referred to the Judiciary Committee.

Also, Senate Bill No. 451—An Act declaring the Sacramento River navigable from and to certain points therein named.

Also, Senate Bill No. 452—An Act to ratify and confirm certain proceedings of the Board of Supervisors of the County of Tehama, in and about the construction of a bridge across the Sacramento River.

Each of the above bills read first and second times, and ordered on the general file.

By Mr. Fowler: Senate Bill No. 453—An Act to amend section three thousand five hundred and seventy-four of the Political Code of the State of California.

Read first and second times, and referred to the Committee on Public Lands.

Also, Senate Bill No. 454—An Act to establish a Board of Health for the County of Tulare.

Read first and second times, and ordered on the general file.

By Mr. Pierson: Senate Bill No. 455—An Act creating the Twenty-third Judicial District, and defining the Third and Twelfth Judicial Districts.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Murphy of Santa Clara: Senate Bill No. 456—An Act to authorize the City of San José to issue bonds to provide sewerage for said city.

Read first and second times, and ordered on the general file.

By Mr. Hill: Senate Bill No. 457—An Act to amend an Act to establish a Board of Commissioners for the former Pueblo or City of Sonoma, and other matters relating thereto, to define the powers and duties of said Commissioners, and to repeal all other Acts relating to the said pueblo or city, the provisions of which are inconsistent with the provisions of this Act, approved March thirtieth, eighteen hundred and sixty-eight.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Evans: Senate Bill No. 458—An Act to provide for the adoption of text-books for use in the public schools.

Read first and second times, and referred to the Committee on Education.

By Mr. Montgomery: Senate Bill No. 459—An Act authorizing the Coulterville and Yosemite Turnpike Company, a corporation, to sue the State.

Read first and second times, and referred to the Judiciary Committee, and ordered printed.

Also, Senate Bill No. 460—An Act for the improvement and preservation of the Yosemite Valley and the Mariposa Big Tree Grove.

Read first and second times, and referred to the Committee on Finance and Claims, and ordered printed.

By Mr. Smith: Senate Bill No. 461—An Act to enact certain new

sections of the Political Code, relating to the adoption of text-books for the public schools, and to repeal certain Acts and sections of the Political Code.

Read first and second times, and referred to the Committee on Education.

MOTIONS AND RESOLUTIONS.

Mr. Evans offered a resolution, providing for the appointment of Joseph R. Beard an assistant at the desk.

Referred to the Committee on Contingent Expenses.

Mr. Ream submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, March 1st, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 333—An Act to amend section three thousand seven hundred and forty-seven of the Political Code.

Also, Senate Bill No. 386—An Act to confer further powers on the Common Council of the City of Santa Barbara.

Also, Senate Bill No. 392—An Act to amend an Act entitled an Act concerning streams in the County of Santa Clara, approved March twenty-eighth, eighteen hundred and seventy-two.

Also, Senate Bill No. 422—An Act to authorize the Mayor and Common Council of the City of San José to establish and provide for the maintenance of a Board of Health.

Also, Senate Bill No. 423—An Act relating to the Coroner of Santa Clara County.

Also, substitute for Senate Bills Nos. 109 and 293—An Act to amend the Civil Code concerning the mortgage on growing crops.

Also, Senate Bill No. 44—An Act to fix the bonds of the county officers of Ventura County.

Also, substitute for Senate Bill No. 33—An Act to regulate the fees and establish the compensation of the County Recorder of the County of Placer, and to repeal an Act entitled an Act to fix the salary of the County Recorder of the County of Placer, approved March twenty-seventh, eighteen hundred and seventy-four.

Also, Senate Bill No. 189—An Act to amend an Act entitled an Act to widen English Street, in the City of Petaluma, and to take private lands therefor, approved March twenty-fifth, eighteen hundred and seventy-six.

Also, substitute for Senate Bill No. 176—An Act supplemental to and amendatory of an Act to regulate the practice of medicine in the State of California, approved April third, eighteen hundred and seventy-six.

Also, Senate Bill No. 252—An Act to provide for the payment of the expenses of the Seventh Street Commission, in and for the City and County of San Francisco.

Also, Senate Bill No. 92—An Act for the relief of Cook Takeott and Andrew Onderdonk.

Also, substitute for Senate Bill No. 81—An Act for the relief of Henry F. Williams, and to provide for the payment of certain money equitably due said Williams.

Also, substitute for Senate Bill No. 70—An Act to authorize the settlement of certain taxes due on certain portions of the Lick estate, and to cancel the liens against the same.

Also, Senate Bill No. 445—An Act to provide for the election of a County Auditor in the County of Solano, and to repeal an Act entitled an Act making the County Recorder of Solano County ex-officio Auditor for said county, and fixing the salary, approved January twenty-eighth, eighteen hundred and seventy-six.

REAM and FLINT, for the Committee.

GENERAL FILE.

Assembly Bill No. 207—An Act concerning the trespass of animals upon private lands in the State of California.

Amendments adopted.

Read third time, and passed.

SPECIAL ORDER.

Assembly Bill No. 436—An Act to provide for a Convention to frame a new Constitution for the State of California.

Mr. McGarvey moved to postpone the special order until Tuesday next, at one o'clock P. M., on which the ayes and noes were demanded by Messrs. Lambert, Haymond, and Nunan, and the Senate refused by a vote, as follows:

AYES—Messrs. Brown of Amador, Brown of El Dorado, Crane, Evans, Flint, Goodwin, Hilborn, Hill, McGarvey, and Norton—10.

NOES—Messrs. Beazell, Bones, Boring, Coleman, Curtis, Dean, Donovan, Fowler, Gwin, Haymond, Howe, Lambert, Lewis, McCoppin, Montgomery, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Shirley, Smith, and Whitney—25.

The bill was considered as in Committee of the Whole.

Reported with sundry amendments.

Amendments to section two of the bill concurred in.

On concurring in an amendment to section five, line thirty-nine, by striking out the words "same per diem and mileage as members of the Legislature," and insert in lieu thereof the words "sum of five dollars," the ayes and noes were demanded by Messrs. Lambert, Murphy of San Francisco, and Craig, and the amendment was concurred in by a vote, as follows :

AYES—Messrs. Bones, Boring, Brown of El Dorado, Crane, Goodwin, Haymond, Hilborn, Hill, McCoppin, McGarvey, Murphy of Santa Clara, Norton, Pierson, Ream, Satterwhite, Shirley, and Whitney—17.

NOES—Messrs. Beazell, Brown of Amador, Coleman, Craig, Curtis, Dean, Donovan, Evans, Flint, Fowler, Lambert, Lewis, Montgomery, Murphy of San Luis Obispo, and Rogers—15.

Mr. Donovan moved to amend section five by striking out "five dollars per day," and inserting "five hundred dollars for the session."

Mr. Lambert offered a substitute for the amendment by striking out "five dollars per day," and inserting in lieu thereof the words "no compensation."

On which the ayes and noes were demanded by Messrs. Lambert, Fowler, and McCoppin, and the amendment was adopted by a vote, as follows :

AYES—Messrs. Bones, Boring, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Flint, Fowler, Goodwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCoppin, McGarvey, Norton, Pierson, Ream, and Shirley—22.

NOES—Messrs. Beazell, Curtis, Dean, Donovan, Evans, Montgomery, Murphy of San Luis Obispo, Rogers, Satterwhite, Smith, and Whitney—11.

On motion of Mr. Pierson, and by general consent, the amendment was changed to read as follows :

Strike out the words "the same per diem and mileage as members of the Legislature; provided, that no compensation shall be allowed delegates after the expiration of one hundred days. No pay shall be allowed for any recess longer than three days at one time," and insert "no compensation."

Amendments to sections seven and nine were concurred in.

Mr. Pierson moved to strike out the word "less" and insert "more," in line nine, section nine.

Adopted.

Amendments to sections nine and twelve concurred in.

Mr. Donovan moved to amend.

Section two—strike out the words, "the City and County of San Francisco shall elect at large thirty delegates," and insert in lieu thereof the words, "six from the Ninth Senatorial District; six from the Tenth Senatorial District; six from the Eleventh Senatorial District; six from the Twelfth Senatorial District, and six from the Thirteenth Senatorial District."

On which the ayes and noes were demanded by Messrs. Donovan, Craig, and Smith, and it was lost by a vote, as follows :

AYES—Messrs. Boring, Craig, Dean, Donovan, Haymond, Hilborn, Hill, Howe, Lambert, Montgomery, and Murphy of San Luis Obispo—11.

NOES—Messrs. Beazell, Bones, Brown of Amador, Brown of El Dorado, Crane, Curtis, Evans, Flint, Lewis, McOppan, McGarvey, Murphy of San Francisco, Murphy of Santa Clara, Norton, Pierson, Ream, Satterwhite, Shirley, Smith, and Whitney—20.

Mr. Smith offered the following amendments :

In the second line of second section, printed bill, strike out "fifty" and insert "—"

In the seventh line, printed bill, strike out "three" and insert "six."

In the ninth line, strike out "one" and insert "two."

In the twenty-second line, strike out "one" and insert "two."

In the fifty-fifth line, strike out "two" and insert "three."

In the seventy-eighth line, strike out "two" and insert "three."

On which the ayes and noes were demanded by Messrs. Smith, Montgomery, and Howe, and the Senate refused to adopt the amendments by a vote, as follows :

AYES—Messrs. Craig, Flint, Fowler, Haymond, Hilborn, Hill, Lewis, McGarvey, Montgomery, and Smith—10.

NOES—Messrs. Beazell, Boring, Brown of Amador, Brown of El Dorado, Coleman, Crane, Curtis, Dean, Evans, Goodwin, Howe, Lambert, McOppan, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Pierson, Ream, Satterwhite, Shirley, and Whitney—22.

The bill was read a third time.

On its passage, the roll was called, and it passed by a vote, as follows :

AYES—Messrs. Beazell, Boring, Brown of Amador, Brown of El Dorado, Coleman, Crane, Curtis, Dean, Evans, Fowler, Goodwin, Haymond, Hill, Howe, Lambert, Lewis, McOppan, McGarvey, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Pierson, Ream, Satterwhite, Shirley, and Smith—28.

NOES—Messrs. Bones, Flint, Hilborn, Montgomery, and Whitney—5.

Mr. Craig gave notice that on to-morrow he would move to reconsider the vote by which the bill passed.

Senate Bill No. 234—An Act relative to advances bona fide made to agents intrusted with goods, and for the better protection of such advances.

A special order for to-day, at one o'clock P. M., was continued as a special order for next Tuesday, at two o'clock P. M.

Mr. Norton submitted a report, as follows :

SENATE CHAMBER,
SACRAMENTO, March 1st, 1878. }

MR. PRESIDENT : Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 404—An Act to amend an Act entitled an Act fixing the salaries and compensation of certain officers of San Luis Obispo County, approved March thirty-first, eighteen hundred and seventy-six.

And this day, at two o'clock and fifteen minutes P. M., presented the same to the Governor.

NORTON, for Committee.

Mr. Haymond (by leave) introduced a bill, to be numbered Senate Bill No. 462—An Act to provide a system of irrigation, promote rapid drainage, and improve the navigation of the Sacramento and San Joaquin Rivers.

Read first and second times, and ordered on the general file.

ADJOURNMENT.

At four o'clock and thirty minutes P. M., on motion of Mr. Goodwin, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SATURDAY, March 2d, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Pierson, Ream, Rogers, Satterwhite, Shirley, Smith, and Whitney.

Quorum present.

The Journal of yesterday not read, and approved, on motion of Mr. McGarvey.

Mr. Nunan was granted leave of absence for one day.

PETITIONS.

Petitions were presented, as follows:

Mr. Hill presented a remonstrance from citizens of Napa County against the passage of an Act to reduce telegraph rates.

Received, and referred to the Committee on Corporations.

By Mr. Fowler—A petition from residents of Tulare County, in reference to the trespass law.

Received, and referred to the Committee on Agriculture.

On motion of Mr. Smith, the resolution on railroad fares and freights, offered by him, and made a special order for to-day, at twelve o'clock M., was ordered re-printed, to correct an error made by incorporating a proposed amendment to the same.

REPORTS.

Reports were submitted, as follows:

By Mr. Howe:

MR. PRESIDENT: The San Francisco delegation, to whom was referred Senate Bill No. 338—An Act to establish and open Montgomery Street South, in the City and County of San Francisco, and take private lands therefor—have had the same under consideration, report it back, and recommend its passage as amended.

HOWE, for the Delegation.

By Mr. Ream:

Also, Assembly Bill No. 111—An Act to prevent and restrict sheep and goats from being herded or running at large in certain portions of Lake County.

Also, Assembly Bill No. 360—An Act to provide for the transfer of moneys by the Treasurer of Alameda County to and from the State treasury, and for the payment of the necessary expenses thereby incurred.

Also, Assembly Bill No. 236—An Act restricting the herding of sheep to certain pastures in the County of Modoc.

Also, Assembly Bill No. 373—An Act to provide for and regulate irrigation in the Township of Los Nietos, in the County of Los Angeles.

Also, Assembly Bill No. 200—An Act to amend an Act entitled an Act to fix the salaries of certain officers in Mendocino.

Also, Assembly Bill No. 399—An Act to amend section three thousand seven hundred and forty-seven of the Political Code, in relation to the collection of taxes in Los Angeles.

Also, Assembly Bill No. 312—An Act to authorize the Board of Supervisors of Marin County to levy a tax, and to appropriate the moneys collected thereunder to the construction of a wagon road in said county, and to transfer certain funds.

Also, Assembly Bill No. 404—An Act concerning the office of Superintendent of Schools of Mendocino County.

Also, Assembly Bill No. 181—An Act to provide for the substitution of bonds of the City of San Luis Obispo, in lieu of bonds of the Town of San Luis Obispo.

Also, Assembly Bill No. 427—An Act to amend an Act entitled an Act to authorize the Board of Trustees of Meridian School District, in the County of Sutter, to borrow money for certain purposes, and to provide for the payment of the same, approved March twenty-ninth, eighteen hundred and seventy-six.

Also, Assembly Bill No. 422—An Act to create an additional contingent fund for Trinity County.

Also, Assembly Bill No. 421—An Act to amend an Act to extend an Act concerning hogs found running at large in the Counties of Marin, Sacramento, San Francisco, Alameda, Stanislaus, Yuba, and Santa Clara, approved April twenty-first, eighteen hundred and fifty-six, approved April eighth, eighteen hundred and fifty-nine.

Also, Assembly Bill No. 429—An Act to amend an Act entitled an Act for the incorporation of the Town of Wheatland, approved March thirteenth, eighteen hundred and seventy-four.

Also, Assembly Bill No. 331—An Act empowering the Board of Trustees of Arroyo Grande School District, in San Luis Obispo County, to issue bonds for certain purposes, and to provide for the redemption thereof.

Also, Assembly Bill No. 465—An Act concerning road poll tax and hospital poll tax for Tehama County.

Also, Assembly Bill No. 403—An Act to amend an Act entitled an Act to incorporate the Town of Colusa, approved April first, eighteen hundred and seventy-six.

Also, Assembly Bill No. 462—An Act amendatory of and supplementary to an Act entitled an Act appointing and empowering Charles F. Irwin, a trustee, to execute certain trusts, directing the manner of executing the same, and the use of the funds arising therefrom, approved March eighteenth, eighteen hundred and seventy-six.

Also, Assembly Bill No. 448—An Act for the relief of Thomas Molloy, Road Overseer of Brooklyn Road District, Alameda County.

Also, Assembly Bill No. 487—An Act in relation to the collection of licenses in Alameda County.

Also, Assembly Bill No. 193—An Act to ratify and confirm certain orders and resolutions of the Board of Supervisors of the City and County of San Francisco, relative to street work on Montgomery Avenue.

Also, Assembly Bill No. 286—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof.

Also, Assembly Bill No. 397—An Act to authorize the Treasurer of the County of San Diego to pay certain warrants out of the contingent fund of said county.

Also, Assembly Bill No. 472—An Act to regulate the salaries and fix the compensation of the county officers of the County of Calaveras.

Also, Assembly Bill No. 461—An Act to provide for transcribing certain records in the County of Yuba.

Also, Assembly Bill No. 444—An Act to provide a fund for the payment of certain indebtedness of Humboldt County.

Also, Assembly Bill No. 469—An Act to authorize the Board of Supervisors of Lake County to levy and collect a special tax for the extermination of squirrels in said county.

Also, Assembly Bill No. 468—An Act to amend an Act entitled an Act to provide for the payment of certain bonds of the County of Lake, approved March twenty-eighth, eighteen hundred and seventy-four, approved March twenty-third, eighteen hundred and seventy-six.

Also, Assembly Bill No. 484—An Act to authorize the formation of a new school district out of portions of other school districts, in Lake County.

Also, Assembly Bill No. 258—An Act to authorize the construction and maintenance of a bridge across the Sacramento River, at the Town of Colusa.

Also, Assembly Bill No. 380—An Act to amend section three thousand nine hundred and

fifty-one of the Political Code, in reference to the boundary line between the Counties of San Mateo and Alameda.

Also, Assembly Bill No. 430—An Act relative to the appropriation of moneys, by the Common Council of the City of Oakland, to certain benevolent societies, out of the public funds of said city.

Also, Assembly Bill No. 201—An Act to amend section two thousand eight hundred and seventy-two of the Political Code.

Also, Assembly Bill No. 489—An Act to amend an Act entitled an Act to fix the salary and bonds of the Treasurers of Fresno and Kern Counties, approved March third, eighteen hundred and seventy-four.

Also, Assembly Bill No. 446—An Act in relation to Swamp Land District Number Three Hundred and Seven, and legalizing certain proceedings therein.

Also, Assembly Bill No. 474—An Act to provide for the construction and repair of bridges in the County of Mendocino.

Also, Assembly Bill No. 396—An Act to authorize the Board of Trustees of Zumalt School District, in the County of Colusa, to borrow money for certain purposes, and to provide for the payment of the same.

Also, Assembly Bill No. 440—An Act to amend an Act entitled an Act to fix the salaries and compensation of certain officers of Butte County, approved March twenty-seventh, eighteen hundred and seventy-four.

Also, Assembly Bill No. 501—An Act to provide a new Great Register for the County of Butte, and re-register the voters thereof.

Also, Assembly Bill No. 492—An Act to amend an Act entitled an Act to establish pounds in the County of San Mateo, approved March eighteenth, eighteen hundred and seventy-six.

Also, Assembly Bill No. 318—An Act amendatory of and supplementary to an Act entitled an Act to create a City Criminal Court in and for the City and County of San Francisco, to define its powers and jurisdiction, approved April third, eighteen hundred and seventy-six.

Also, Assembly Bill No. 513—An Act to provide for the building of a school house in the Fresno City School District, in the County of Fresno, State of California.

Also, Assembly Bill No. 249—An Act to provide a new Great Register for the County of Stanislaus, and re-register the voters thereof.

And, on the twenty-sixth, passed Assembly Bill No. 253—An Act relating to the civil government of military companies.

Also, Assembly Bill No. 178—An Act to amend subdivision two, section six hundred and ninety, Title Ten, Chapter One, of the Code of Civil Procedure, to exempt certain property from execution.

Also, Assembly Bill No. 384—An Act amending section four hundred and fifteen of the Penal Code, in relation to crimes against the public peace.

Also, Assembly Bill No. 337—An Act to prevent buck goats from running at large.

Also, Assembly Bill No. 343—An Act to prevent the sale of oleomargarine, under the name and pretense that said commodity is butter.

Also, Assembly Bill No. 386—An Act to amend section one hundred and thirty-seven of the Civil Code, in reference to the husband providing for the support of the wife during unlawful separation or proceedings for divorce.

Also, Assembly Bill No. 288—An Act to amend sections five hundred and sixty-four, five hundred and sixty-six, and five hundred and sixty-seven of the Political Code, and to add a new section, to be numbered section five hundred and sixty-eight.

Also, Assembly Bill No. 393—An Act to provide for the payment of unused and uncanceled stamps of the State of California, heretofore sold.

Also, passed Assembly Joint Resolution No. 43—Relative to the import duty on mohair.

Also, Senate Joint Resolution No. 45—Relative to soldiers in California before gold was discovered.

Also, Assembly Joint Resolution No. 44—Relative to the recognition of the Diaz Government of Mexico.

Also, Assembly Joint Resolution No. 50—Relative to a mail route in Butte County.

Also, Assembly Bill No. 449—An Act to regulate the salary of the Road Overseer of Brooklyn Road District, Alameda County.

And, on this day, adopted Assembly Concurrent Resolution No. 51—Relative to paying for translating the Governor's message into Spanish.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 2d, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the first day of March, A. D. eighteen hundred and seventy-eight, amended and passed Senate Bill No. 186—An Act in relation to the office of Sheriff of the City and County of San Francisco.

Also, passed Senate Bill No. 330—An Act amendatory of an Act entitled an Act to amend an Act entitled an Act to revise and amend an Act entitled an Act to incorporate the Town of Grass Valley, approved April fifteenth, eighteen hundred and sixty-one, approved February sixth, eighteen hundred and sixty-four, approved March twenty-fourth, eighteen hundred and sixty-six.

Also, Senate Bill No. 304—An Act to legalize the State and county tax and assessments, in the County of Nevada, in eighteen hundred and seventy-seven and eighteen hundred and seventy-eight.

Also, Senate Bill No. 315—An Act to incorporate the Town of Etna, Siskiyou County.

Also, Senate Bill No. 185—An Act for the relief of George C. Knox.

Also, Senate Bill No. 367—An Act to ratify and confirm the acts of the Mayor and Common Council of the City of San José.

Also, Senate Bill No. 275—An Act to ratify the contract between the Stockton Gas Company and the City of Stockton to supply gas to said city and its inhabitants, approved by the Acting Mayor of said city on the eighteenth day of December, eighteen hundred and seventy-seven.

Also, adopted Assembly Concurrent Resolution—Relative to publishing statutes.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 1st, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, amended and passed Senate Bill No. 445—An Act to provide for the election of a County Auditor in the County of Solano, and to repeal an Act entitled an Act making the Recorder of Solano County ex officio Auditor of said county, and fixing his salary, approved January twenty-eighth, eighteen hundred and seventy-six.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 2d, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, adopted Assembly Concurrent Resolution No. 61—Relative to correcting error in Assembly Bill No. 516.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bills Nos. 462, 403, 421, 422, 462, 396, 492, 474, 489, 111, 404, 200, 399, 373, 236, 379, 383, 318, 181, 260, 205, 240, 448, 487, 193, 286, 461, 444, 469, 468, 484, 380, 450, and 449, above reported.

Each read first and second times, and referred to the delegations named in the several bills.

Assembly Bill No. 429, above reported.

Read first and second times, and referred to the Committee on Corporations.

Assembly Bill No. 331, above reported.

Read first and second times, and referred to the Committee on Education.

Assembly Bills Nos. 427, 513, 346, 360, above reported.

Each read first and second times, and taken up, under a suspension of the rules, for consideration.

The bills, severally, read third time, and, by unanimous consent, passed.

Assembly Bills Nos. 501, 249, 178, 446, 384, 386, and 288, above reported.

Each read first and second times, and referred to the Judiciary Committee.

Assembly Bill No. 312, above reported.

Read first and second times, and referred to the Committee on Roads and Highways.

Assembly Bill No. 201, above reported.

Read first and second times, and referred to the Committee on Commerce and Navigation.

Assembly Bills Nos. 397, 472, and 393, above reported.

Each read first and second times, and referred to the Committee on Finance.

Assembly Bill No. 283, above reported.

Read first and second times, and referred to the Committee on Military Affairs.

Assembly Bills Nos. 337 and 343, above reported.

Each read first and second times, and referred to the Committee on Agriculture.

Assembly Joint Resolutions Nos. 43, 50, 45, and 44, above reported.

Each read first and second times, and referred to the Committee on Federal Relations.

Assembly Concurrent Resolutions Nos. 60 and 51, above reported.

Each referred to the Committee on Contingent Expenses.

Assembly Concurrent Resolution No. 61, above reported.

Concurred in.

Substitute for Senate Bill No. 186, above reported.

Referred to the San Francisco delegation.

Senate Bill No. 445, above reported.

Assembly amendment to the bill concurred in, and, on motion of Mr. Hilborn, the bill was ordered enrolled out of its order.

MOTIONS AND RESOLUTIONS.

Mr. Craig, in accordance with notice, moved to reconsider the vote by which Assembly Bill No. 436 passed the Senate on yesterday.

Mr. Craig moved to make the motion a special order for Monday next, at three o'clock P. M.

Carried.

Mr. Smith moved to postpone the consideration of the special order set for twelve o'clock M., to-day, until Tuesday next, at twelve o'clock, being resolutions in reference to railroad fares and freights.

ADJOURNMENT.

At eleven o'clock and fifty-seven minutes A. M., Mr. Lewis moved to adjourn, on which the ayes and noes were demanded by Messrs. Satterwhite, Lewis, and Smith, and the motion prevailed by a vote, as follows:

AYES—Messrs. Beazell, Bones, Boring, Boyston, Brown of Amador, Craig, Crane, Fowler, Goodwin, Haymond, Hill, Lambert, Lewis, McGarvey, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Pierson, Shirley, and Whitney—20.

NOES—Messrs. Coleman, Curtis, Dean, Donovan, Evans, Flint, Howe, McCoppin, Montgomery, Murphy of San Francisco, Ream, Rogers, Satterwhite, and Smith—14.

Whereupon the President announced that the Senate had adjourned until Monday next, at eleven o'clock A. M.

IN SENATE.

SENATE CHAMBER,
MONDAY, March 4th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Norton, Pierson, Ream, Rogers, Satterwhite, Shirley, Smith, and Whitney.

Quorum present.

The Journal of Saturday last not read, and approved, by general consent.

PETITIONS.

Petitions were presented, as follows:

By Mr. Haymond—From Henry M. Naglee, relative to the reclamation of the overflowed lands in the State of California, and asking the aid of the Federal Government therein.

Mr. Haymond also, in connection with the subject, introduced a resolution, to be numbered Senate Joint Resolution No. 44.

The petition and resolution were ordered printed, and to be referred to the Committee on Federal Relations.

REPORTS.

Reports were submitted, as follows:

By Mr. Pierson:

MONDAY, March 4th, 1878.

MR. PRESIDENT: The Judiciary Committee, to whom was referred Senate Bill No. 155—An Act to amend sections four hundred and fifty and four hundred and fifty-one of the Civil Code, and to add two new sections to said Code, as also to repeal certain Acts, all relating to insurance—report the same back with a substitute, and recommend the passage of the substitute.

Also, Senate Bill No. 154—An Act to amend certain sections of the Civil Code, and to add certain new sections to said Code, all relating to insurance—report the same back with a substitute, and recommend the passage of the substitute.

Also, substitute for Senate Bills Nos. 153, 156, and 295, and section four hundred and fifty-three in section three of Senate Bill No. 155—and recommend the passage of the substitute.

Also, Assembly Bill No. 80—An Act to amend section eight hundred and eighty-two of the Penal Code—have had the same under consideration, and report it back, recommending its passage.

Also, Senate Bill No. 211—An Act for the relief of the Oakland Guard, of Oakland City—report the same back; no legal question involved.

Also, Senate Bill No. 435—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code—report the same back, and recommend its passage.

Also, Senate Bill No. 439—An Act to amend section one thousand three hundred and eighty-six of the Civil Code—report the same back, and recommend that it do not pass.

Also, Senate Bill No. 441—An Act to amend section three thousand four hundred and sixty-nine of the Civil Code of the State of California—report the same back, and recommend that it do not pass.

Also, Senate Bill No. 443—An Act to amend section eight hundred and twenty-one of the Civil Code of the State of California—report the same back, and recommend that it do not pass.

Also, Senate Bill No. 457—An Act to amend an Act to establish a Board of Commissioners for the former Pueblo or City of Sonoma, and other matters relating thereto, to define the powers

and duties of said Commissioners, etc., approved March thirtieth, eighteen hundred and sixty-eight—report the same back, and recommend its passage.

Also, Assembly Bill No. 384—An Act amending section four hundred and fifteen of the Penal Code, in relation to crimes against the public peace—report the same back, and recommend that it do not pass.

Also, Assembly Bill No. 501—An Act to provide a new Great Register for the County of Butte, and re-register the voters thereof—report the same back, and recommend its reference to the Joint Committee on Proposed Amendments to Election Laws.

Also, Assembly Bill No. 249—An Act to provide a new Great Register for the County of Stanislaus, and re-register the voters thereof—report the same back, and recommend its reference to the Joint Committee on Proposed Amendments to Election Laws.

Also, Assembly Bill No. 386—An Act to amend sections one hundred and thirty-seven and one hundred and forty-two of the Civil Code, in reference to the husband providing for the support of the wife during unlawful desertion or proceedings for divorce—report the same back with amendments, and recommend its passage as amended.

PIERSON, Chairman pro tem.

Assembly Bills Nos. 501 and 249, above reported, were referred to the Joint Committee on Proposed Amendments to the Election Laws.

By Mr. Ream:

MR. PRESIDENT: The delegation, to whom was referred Assembly Bill No. 421—An Act to amend an Act to extend an Act concerning hogs found running at large in the Counties of Marin, Sacramento, San Francisco, Alameda, Stanislaus, Yuba, and Santa Clara, approved April twenty-first, eighteen hundred and fifty-six, approved April eighth, eighteen hundred and fifty-nine—have had the same under consideration, report it back, and recommend its passage.

D. REAM, for Delegation.

Rules suspended, and the bill, above reported, taken up for consideration.

Read third time, and passed.

MR. PRESIDENT: The Trinity and Shasta delegation, to whom was referred Assembly Bill No. 422—An Act to create an additional contingent fund for Trinity County—have had the same under consideration, report it back, and recommend its passage.

D. REAM, for Delegation.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

Mr. Lewis, for the delegation, verbally reported, recommending their passage, Assembly Bill No. 403—An Act to amend an Act to incorporate the Town of Colusa, approved April first, eighteen hundred and seventy-six.

Also, Assembly Bill No. 396—An Act authorizing the Board of Trustees of Zumwalt School District, in the County of Colusa, to borrow money for certain purposes, and to provide for the payment of the same.

Mr. Fowler, for the delegation, verbally reported, recommending passage, Assembly Bill No. 345—An Act to protect the Town of Fresno against fire.

The bill was referred to Senator Montgomery.

Also, Senate Bill No. 376—An Act for the relief of J. F. Dillon, Assessor of Inyo County.

Rules suspended, and the bill taken up for consideration.

Considered engrossed, read third time, and passed.

Mr. McGarvey, for the delegation, verbally reported, recommending passage, Assembly Bill No. 200—An Act to amend an Act entitled an Act to fix the salaries of certain officers in Mendocino County.

Also, Assembly Bill No. 379—An Act to authorize the Common Council of the City of Eureka, in Humboldt County, to sit as a Board of Equalization.

Rules suspended, and the bills taken up for consideration.

Each read third time, and passed.

Mr. Lambert, for the Committee on Federal Relations, verbally reported, recommending its passage, Senate Joint Resolution No. 42—Relating to the office of the United States Surveyor-General for California.

Rules suspended, and the resolution taken up.

Considered engrossed.

Read third time, and passed.

Mr. Lewis, for the delegation, verbally reported, recommending passage of the same as amended, Assembly Bill No. 465—An Act concerning road poll tax and hospital tax for Tehama County.

Rules suspended, and the bill taken up.

Amendment adopted.

Read third time, and passed.

By Mr. Murphy of Santa Clara :

MR. PRESIDENT: Your special committee, to whom was referred Assembly Bill No. 90—An Act to regulate the use of artesian wells, and to prevent the waste of subterranean waters in this State—respectfully report the same back, with amendments, and recommending the passage of the bill as amended.

GEORGE H. SMITH, } Committee.
B. D. MURPHY, }

Rules suspended, and the bill taken up for consideration.

Amended.

Read third time, and passed.

Also :

MR. PRESIDENT: The Santa Clara delegation, to whom was referred Assembly Bill No. 322—An Act to authorize the Town of Santa Clara to construct and maintain a main public sewer, and to provide for paying the costs thereof—would respectfully report the same back, with an amendment, and recommend the passage of the bill as amended.

B. D. MURPHY, for the Delegation.

Rules suspended, and the bill taken up for consideration.

Amendment adopted.

Read third time, and passed.

By Mr. Smith:

MR. PRESIDENT: The Los Angeles delegation, to which was referred Assembly Bills Nos. 205, 314, and 399, and Senate Bill No. 398, has had the same under consideration, and reports them back, with the recommendation that they pass.

GEORGE H. SMITH.

Rules suspended, and the bills, above reported, taken up for consideration.

Assembly Bill No. 205.

Read third time, and passed.

Assembly Bill No. 314.

Ordered on general file.

Assembly Bill No. 399.

Read third time, and passed.

Senate Bill No. 398.

Rules suspended, considered engrossed, read third time, and passed.

By Mr. Ream:

SENATE CHAMBER,
SACRAMENTO, March 4th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 389—An Act to prevent the trespassing of animals upon private property in the County of Yolo.

Also, Senate Bill No. 207—An Act for the relief of John A. Odell.

Also, Senate Bill No. 374—An Act to pay the claim of Hiram Clock.

Also, Senate Bill No. 248—An Act for the increase and preservation of forest areas of this State.

Also, substitute for Senate Bill No. 288—An Act to amend an Act to provide for the location, construction, and maintenance of public roads in the County of Nevada.

Also, substitute for Senate Bill No. 257—An Act imposing a tax on the issue of certificates of stock of corporations.

D. REAM, for the Committee.

Mr. McGarvey, for the Judiciary Committee, verbally reported, recommending passage of same with amendment, Assembly Bill No. 386—An Act to amend section one hundred and thirty-seven of the Civil Code, in reference to the husband providing for the support of the wife during unlawful separation or proceedings for divorce.

Rules suspended, and the bill taken up.

Amendment adopted.

Read third time, and passed.

GOVERNOR'S MESSAGE.

A message was received from the Governor, appointing William Blanding a member of the State Board of Harbor Commissioners, vice himself, term expired.

On motion of Mr. Lewis, the message of the Governor was made a special order for Wednesday next, at twelve o'clock M.

MOTIONS AND RESOLUTIONS.

Mr. Brown of El Dorado moved that Senate Bill No. 431 be printed.

Carried.

On motion of Mr. Smith, Senate Resolution No. 43—Relative to fares and freights on railroads in this State—was made a special order for Tuesday (to-morrow), at twelve o'clock M.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows:

By Mr. McCoppin (accompanied by a communication from the Board of State Prison Directors, asking the passage of the same): Senate Bill No. 463—An Act making an appropriation for deficiency in the expenses of the State Prison.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed, and ordered transmitted to the Assembly without engrossment.

By Mr. Rogers: Senate Bill No. 464—An Act to authorize the Board of Supervisors of the City and County of San Francisco to order Bay Street graded, and to change its grade.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

By Mr. Craig: Senate Bill No. 465—An Act for the relief of W. J. Rupe.

Read first and second times, and, with accompanying papers, referred to the Committee on Finance and Claims.

Also, Senate Bill No. 466—An Act to create the office of State Gauger of Wines and Spirituous Liquors, and to define his duties.

By Mr. Smith: Senate Bill No. 467—An Act to amend section seven hundred and ninety-eight of the Political Code, in relation to fees of Notaries Public.

Each of the above bills read first and second times, and referred to the Judiciary Committee.

By Mr. Lewis: Senate Bill No. 468—An Act to amend section fifty-nine of the Code of Civil Procedure.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

By Mr. Dean: Senate Bill No. 469—An Act to amend section three thousand three hundred and seventy-nine of the Political Code, in relation to licenses.

Read first and second times, and referred to the Committee on Finance and Claims.

By Mr. Shirley: Senate Bill No. 470—An Act to amend an Act entitled an Act to regulate and govern the California State Prison, approved April third, eighteen hundred and seventy-six.

Read first and second times, and referred to the Committee on State Prison.

By Mr. Evans: Senate Bill No. 471—An Act to amend section one thousand five hundred and three and to repeal section one thousand seven hundred and fifty of the Political Code.

Read first and second times, and, with a memorial accompanying the same, referred to the Committee on Education, and ordered printed.

By Mr. Craig: Senate Bill No. 472—An Act for the relief of James Munroe, S. L. Piper, his executors or assigns, Ede and Williams, and Brigham and Hams, and to provide for the payment of certain moneys equitably due them.

Read first and second times, and referred to the San Francisco delegation.

By Mr. McCoppin: Senate Bill No. 473—An Act to amend section four hundred and seventy-three of the Civil Code.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Hilborn: Senate Bill No. 474—An Act to provide for the election of an Assessor, a City Marshal, and a Treasurer, for the City of Benicia, and to prescribe their duties; also, to grant further powers to the Trustees of said city.

Read first and second times, and referred to the delegation from Solano County.

GENERAL FILE.

Senate Bill No. 210.

Passed on file.

Substitute for Senate Bill No. 70—An Act to authorize the settlement of certain taxes due on certain portions of the Lick estate, and to cancel the liens against the same.

Read third time, and passed.

Substitute for Senate Bill No. 81—An Act for the relief of Henry F. Williams, and to provide for the payment of certain money equitably due said Williams.

Read third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. McCoppin, Smith, and Flint, and it passed by a vote, as follows:

AYES—Messrs. Benzell, Boring, Brown of Amador, Craig, Crane, Donovan, Evans, Fowler, Gwin, Haymond, Hill, Howe, Lambert, Lewis, McGarvey, and Montgomery—16.

NOES—Messrs. Brown of El Dorado, Coleman, Dean, Flint, Goodwin, Hilborn, McCoppin, Murphy of Santa Clara, Norton, Ream, Satterwhite, Shirley, Smith, and Whitney—14.

Substitute for Senate Bill No. 176—An Act supplemental to and amendatory of an Act entitled an Act to regulate the practice of medicine in the State of California, approved April third, eighteen hundred and seventy-six.

On motion of Mr. Flint, the bill was referred to Mr. Ream, Chairman of the Hospital Committee, with an amendment to section seven, with special instructions to report immediately.

Mr. Ream reported the bill so amended.

Amendment adopted.

Rules suspended, read third time, and passed.

Assembly Bill No. 234—An Act to provide for the extermination of squirrels in the County of San Mateo.

Passed on file.

Subsequently taken up.

Amendment concurred in.

Read third time, and passed.

Senate Bill No. 205—An Act granting relief to taxpayers whose lands have been sold to the State.

Amendments concurred in.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bills Nos. 305 and 41.

Ordered at the foot of the general file.

Senate Bill No. 135—An Act to add two new sections to the Civil Code, to be numbered two hundred and thirty-one and two hundred and thirty-two.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 303—An Act to add a section to Title Twelve, of Part Four, of the First Section of the Civil Code.

Amendments concurred in.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 396.

Passed on file.

The President presented a communication from Charles E. Pickett, Esq., asking payment for a pamphlet entitled "American Education Analyzed," etc., which had been laid upon the desks of Senators.

Received, and referred to the Committee on Finance and Claims. [Mr. Evans in the chair.]

Senate Bill No. 373—An Act to add a new section to the Civil Code.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 408—An Act to amend the Penal Code, in relation to fugitives from justice.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 407—An Act to amend the Code of Civil Procedure.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 397—An Act to add another section to the Code of Civil Procedure, to be known as section four hundred and seventeen.

Amendment adopted.

Ordered engrossed.

Senate Bill No. 414—An Act to amend the Penal Code.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 415—An Act relative to the Attorney-General and District Attorneys.

Re-referred to the Judiciary Committee.

Senate Bill No. 164—An Act in relation to warehouses and wharfing receipts, and other matters pertaining thereto.

Amendment concurred in.

Rules suspended, considered engrossed, read third time, and passed.

Mr. McCarthy submitted a report, as follows:

SENATE CHAMBER.

SACRAMENTO, March 4th, 1878.

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 445—An Act to provide for the election of a County Auditor in the County of Solano, and to repeal an Act making the County Recorder of Solano County ex officio Auditor of said county, and fixing his salary, approved January twenty-eighth, eighteen hundred and seventy-six.

Also, Senate Bill No. 330—An Act amendatory of an Act entitled an Act to amend an Act entitled an Act to revise and amend an Act entitled an Act to incorporate the Town of Grass Valley, approved April fifteenth, eighteen hundred and sixty-one, approved February sixth, eighteen hundred and sixty-four, approved March twenty-fourth, eighteen hundred and sixty-six.

Also, Senate Bill No. 189—An Act to amend an Act entitled an Act to widen English Street, in the City of Petaluma, and to take private lands therefor, approved March twenty-fifth, eighteen hundred and seventy-six.

Also, Senate Bill No. 174—An Act to ratify and validate a certain contract of the City and County of San Francisco.

Also, Senate Bill No. 252—An Act to provide for the payment of expenses of the Seventh Street Commission in and for the City and County of San Francisco.

Also, Senate Bill No. 367—An Act to ratify and confirm the acts of the Mayor and Common Council of the City of San José.

Also, substitute for Senate Bill No. 136—An Act to fund certain indebtedness of Tulare County.

Also, Senate Bill No. 315—An Act to incorporate the Town of Etna, Siskiyou County, California.

Also, Senate Bill No. 304—An Act legalizing the State and county tax and assessments in the County of Nevada in eighteen hundred and seventy-seven and eighteen hundred and seventy-eight.

Also, Senate Bill No. 92—An Act for the relief of Cook Talcott and Andrew Onderdonk.

Also, Senate Bill No. 185—An Act for the relief of George C. Knox.

Also, Senate Bill No. 275—An Act to ratify the contract between the Stockton Gas Company and the City of Stockton to supply gas to said city and to its inhabitants, approved by the Acting Mayor of said city on the eighteenth day of December, eighteen hundred and seventy-seven.

And this day, at one o'clock and ten minutes P. M., presented the same to the Governor.

MCCARTHY, Chairman.

GENERAL FILE RESUMED.

Senate Bill No. 391—An Act to authorize Loren Coburn, his associates and assigns, to construct, maintain, and keep a wharf and chute at Pigeon Point, County of San Mateo.

Mr. Smith moved to refer the bill to the Judiciary Committee.

Lost.

On motion of Mr. Craig, the bill was made a special order for Monday next, the eleventh instant, at one o'clock p. m.

Senate Bill No. 387—An Act to amend an Act entitled an Act in relation to the county officers of Santa Cruz County, their fees and salaries, approved March thirtieth, eighteen hundred and seventy-six.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 444—An Act to quiet title to town lots in the City of Visalia

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 384—An Act for the relief of John Q. Hendricks, Charles Carroll, and R. D. Hubbard.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 400—An Act to authorize the Board of Examiners to purchase certain portraits of Pebbles and Baldwin.

Mr. Fowler moved to suspend the rules to place the bill on its final passage.

Lost.

Mr. Goodwin moved to indefinitely postpone the bill, on which the ayes and noes were demanded by Messrs. Lewis, McGarvey, and McCoppin, and the bill was indefinitely postponed by a vote, as follows:

AYES—Messrs. Beazell, Boring, Coleman, Crane, Curtis, Dean, Donovan, Evans, Goodwin, Hilborn, Hill, Lambert, McCoppin, McGarvey, Montgomery, Murphy of San Luis Obispo, Rogers, Satterwhite, Shirley, Smith, and Whitney—21.

NOES—Messrs. Boynton, Brown of Amador, Brown of El Dorado, Craig, Flint, Fowler, Gwin, Haymond, Lewis, McCarthy, Pierson, and Ream—12.

Senate Bill No. 406.

Passed on file.

Senate Bill No. 399.

Ordered at the bottom of the general file.

Senate Bill No. 325—An Act for the relief of Major John Stratman.

Indefinitely postponed.

Assembly Bill No. 270—An Act to provide for the distribution of school moneys in the County of Contra Costa.

Read third time, and passed.

Assembly Bill No. 233—An Act to amend section one thousand seven hundred and fifty of the Political Code, in regard to the issuance of certificates without examination.

Mr. Donovan offered an amendment.

The bill was re-referred to the Committee on Education with pending amendment.

Senate Bill No. 434—An Act for the relief of Klamath School District, Siskiyou County, California.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 264—An Act to authorize the Trustees of Snelling School District, of Merced County, to pay the debt of said district.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 198.

Passed on file.

Senate Bill No. 402—An Act to amend an Act entitled an Act regulating the sale of mineral lands belonging to the State.

Rules suspended, considered engrossed, read third time, and passed.

On motion of Mr. Donovan, the rules were suspended, and Assem-

bly Bill No. 306 was taken from the general file, and re-referred to the San Francisco delegation.

[President pro tem. in the chair.]

Assembly Bill No. 102—An Act to authorize the Board of Supervisors to pay the claim of Abner D. Sevier, ex-Sheriff of Humboldt County.

The question being "Shall the Senate recede from its amendment to the bill?" the ayes and noes were demanded by the requisite number, and the Senate refused to recede by a vote, as follows:

AYES—Messrs. Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Evans, Goodwin, Lambert, Lewis, Murphy of Santa Clara, and Ream—12.

NOES—Messrs. Beazell, Crane, Curtis, Gwin, Hilborn, Hill, McCarthy, McCoppin, McGarvey, Montgomery, Norton, Pierson, and Whitney—13.

Senate Bill No. 364—An Act to provide compensation for the Township Assessor of the Township of Oakland, County of Alameda. Amendment concurred in.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Bill No. 11—An Act for the relief of the School Department of the City of Oakland.

Read third time, and passed.

Mr. McCarthy submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, March 4th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, substitute for Senate Bills Nos. 416 and 417—An Act for the relief of sufferers of the late storm and flood.

And this day, at two o'clock and forty-five minutes p. m., presented the same to the Governor.

McCARTHY, Chairman.

SPECIAL ORDER.

Motion to reconsider the vote by which the Senate passed Assembly Bill No. 436—An Act providing for a Convention to frame a Constitution for the State of California.

Mr. Craig moved to reconsider the vote by which the bill passed on March first.

Carried.

Mr. Craig now moved to reconsider the vote by which the Senate passed an amendment providing for "no compensation" to members of the Convention.

Carried.

Mr. McCoppin offered an amendment, as follows:

Amend section five, line thirty-seven, by striking out from the words "same per diem and mileage as members of the Legislature," down to and including "at one time," and insert in lieu thereof the words "five hundred dollars each."

On which the ayes and noes were demanded by the requisite number, and it was adopted by a vote, as follows:

AYES—Messrs. Brown of Amador, Brown of El Dorado, Coleman, Crane, Dean, Evans, Flint, Goodwin, Gwin, Haymond, Hill, Howe, McCoppin, McGarvey, Murphy of San Luis Obispo, Norton, Pierson, Ream, Rogers, Satterwhite, Shirley, and Whitney—22.

NOES—Messrs. Beazell, Boring, Craig, Curtis, Fowler, Lambert, Lewis, McCarthy, Montgomery, and Smith—10.

Mr. Rogers, in explaining his vote on the amendment, said he

was in favor of allowing a per diem of ten dollars, but, for fear that that compensation would not be allowed, he voted for the amendment proposed as the best he could get.

Mr. Fowler moved to indefinitely postpone the bill, on which the ayes and noes were demanded by the requisite number, and the Senate refused by a vote, as follows:

AYES—Messrs. Fowler and McCarthy—2.

NOES—Messrs. Benzell, Boring, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Evans, Flint, Goodwin, Gwin, Haymond, Hill, Howe, Lambert, Lewis, McCoppin, McGarvey, Montgomery, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Pierson, Ream, Rogers, Satterwhite, Shirley, Smith, and Whitney—31.

Mr. Pierson offered the following amendment:

Insert, at end of section one, the following: "No other question shall be submitted to the people or voted on at such election, any statute or law to the contrary notwithstanding."

Mr. Haymond offered an amendment to the amendment, as follows:

"All other elections called for the same time shall be held at the next general or special State election."

Amendment adopted as amended.

Mr. Pierson offered an amendment, as follows:

Amend section seven, line nineteen, after the word "whole," by inserting "No other question than the adoption or rejection of the proposed Constitution shall be submitted to the people or voted on at such election, any statute or law to the contrary notwithstanding."

Adopted.

When the bill was again placed on its final passage, and passed.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows:

By Mr. McCarthy: Senate Bill No. 475—An Act to authorize the Board of State Harbor Commissioners to set apart a portion of the water front of the City and County of San Francisco.

Read first and second times, and referred to the Committee on Federal Relations.

By Mr. Haymond: Senate Bill No. 476—An Act to amend an Act entitled an Act for the improvement of the streets of the City of Sacramento, approved March eighth, eighteen hundred and seventy-six.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

Ordered to the Assembly without engrossment.

Mr. Curtis gave notice that on to-morrow he would move to reconsider the vote by which the Senate refused to recede from its amendment to Assembly Bill No. 102.

On motion of Mr. Haymond, substitute for Senate Bill No. 13, and Senate Bill No. 462, on the general file, to-day, were made a special order for to-morrow, at half-past twelve o'clock p. m.

Mr. Shirley presented sundry petitions and remonstrances concerning road matters in Marin County, which were received and referred to the Committee on Roads and Highways.

ADJOURNMENT.

At three o'clock and thirty minutes P. M., on motion of Mr. McGarvey, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
TUESDAY, March 5th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Hilborn, Hill, Howe, Lambert, Lewis, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Norton, Nunan, Pierson, Ream, Rogers, Satterwhite, Shirley, Smith, and Whitney.

Quorum present.

The Journal of yesterday not read, and approved, on motion of Mr. Murphy of San Francisco.

PETITIONS.

Petitions were presented, as follows:

By Mr. Ream—A remonstrance from citizens of Henley, Siskiyou County, California, opposing the reduction of telegraph rates.

Received, and referred to the Committee on Corporations.

REPORTS.

Reports were submitted, as follows:

By Mr. Flint:

MR. PRESIDENT: The Santa Cruz delegation, to whom was referred Assembly Bill No. 260—An Act to incorporate the Town of Felton, in the County of Santa Cruz, State of California—having considered the same, ask leave to report the same back, recommending its passage.

FLINT, for Delegation.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

By Mr. Hilborn:

MR. PRESIDENT: The Committee on Corporations have had under consideration Assembly Bill No. 177—An Act to aid in the construction of a railroad from the City of Eureka, in Humboldt County, State of California, to Eel River Valley, in said county—and herewith report the same back, a majority recommending its passage.

Also, Senate Bill No. 307—An Act to establish a scale for the measurement of logs—with an amendment, and recommend its passage as amended.

Also, Senate Bill No. 291—An Act to amend an Act entitled an Act to amend an Act entitled an Act to incorporate the Town of Watsonville, Santa Cruz County, California, approved March thirtieth, eighteen hundred and sixty-eight—and recommend its passage.

Also, substitute for Senate Bill No. 148—An Act to amend section three thousand three hundred and thirty-seven of the Political Code—with a substitute, and recommend the passage of the substitute.

HILBORN, for the Committee.

Substitute for Senate Bill No. 148, above reported, was ordered printed.

Rules suspended, and Senate Bill No. 291, above reported, taken up for consideration.

Considered engrossed, read third time, and passed.

By Mr. Nunan:

MR. PRESIDENT: The San Francisco delegation, to whom was referred Assembly Bill No. 153—An Act to increase the police force of the City and County of San Francisco—have had the same under consideration, report it back, and recommend passage of accompanying substitute.

E. NUNAN, Chairman.

Rules suspended, and the bill taken up for consideration.

The question being on adopting the substitute as an amendment to the bill, the ayes and noes were demanded by Messrs. Pierson, Satterwhite, and Lewis, and the amendment was adopted by a vote, as follows:

AYES—Messrs. Beazell, Bones, Boyston, Curtis, Dean, Donovan, Flint, Fowler, Gwin, Haymond, Howe, Lambert, Lewis, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Nunan, Ream, Shirley, and Whitney—21.

NOES—Messrs. Crane, Evans, Hilborn, Pierson, and Satterwhite—5.

The bill was read a third time, and passed.

By Mr. Beazell:

MR. PRESIDENT: The Alameda delegation, to whom was referred Assembly Bill No. 448—An Act for the relief of Thomas Molloy, Road Overseer of the Brooklyn Road District, Alameda County—report the same back, and recommend its passage.

Also, have had under consideration, Assembly Bill No. 449—An Act to regulate the salary of the Road Overseer of Brooklyn Road District, Alameda County—report the same back, and recommend its passage.

Mr. Murphy of San Luis Obispo, for the delegation, verbally reported, recommending its passage, Assembly Bill No. 181—An Act to provide for the substitution of bonds of the City of San Luis Obispo in lieu of bonds of the Town of San Luis Obispo.

Also, Assembly Bill No. 312, recommending the reference of the bill to the Marin County delegation—An Act to authorize the Board of Supervisors of Marin County to levy a special tax, to appropriate money collected thereunder to the construction of a wagon road in said county, and to transfer certain funds.

The bill was so referred.

Mr. Rogers, for the delegation, verbally reported, recommending its passage, Assembly Bill No. 492—An Act to amend an Act entitled an Act to establish pounds in the County of San Mateo, approved March eighteenth, eighteen hundred and seventy-eight.

Mr. Fowler, for the delegation, verbally reported, recommending its passage, Assembly Bill No. 489—An Act to amend an Act entitled an Act to fix the salary and bonds of the Treasurer of Fresno and Kern Counties, approved March third, eighteen hundred and seventy-four.

Mr. Crane, for the delegation, verbally reported, recommending its passage, Assembly Bill No. 440—An Act to amend an Act entitled

an Act to fix the salaries and compensation of certain officers of Butte County, approved March twenty-seventh, eighteen hundred and seventy-four.

Mr. McGarvey, for the delegation, verbally reported, recommending its passage, Assembly Bill No. 444—An Act to provide a fund for the payment of certain indebtedness of Humboldt County.

Mr. Murphy of San Francisco, for the delegation, verbally reported substitute for Senate Bill No. 186—An Act in relation to the office of Sheriff of the City and County of San Francisco, with an amendment, recommending the adoption of the amendment.

Rules suspended, and the amendment concurred in.

Mr. Montgomery, for the delegation, verbally reported, recommending its passage, Assembly Bill No. 345—An Act to protect the Town of Fresno against fire, with an amendment, recommending the adoption of the amendment and the passage of the bill.

Rules suspended.

Amendment adopted.

Read third time, and passed.

Title amended.

By Mr. Smith:

MR. PRESIDENT: The Los Angeles delegation, to whom was referred Senate Bill No. 361—has had the same under consideration, and reports the same back with the following amendments, and recommends that the bill pass as amended:

In section four, in line seventeen of the section page, strike out the words "seventy-five" and insert "eighty." At the end of section ten, strike out the words "This Act to take effect immediately," and insert, "Section eleven. This Act shall take effect immediately."

GEORGE H. SMITH.

Rules suspended, and the bill taken up for consideration.

Amendments adopted.

Considered engrossed, read third time, and passed.

By Mr. Ream:

MR. PRESIDENT: The Siskiyou and Modoc delegation, to whom was referred Assembly Bill No. 236—have had the same under consideration, report the same back, and recommend its passage.

D. REAM, for Delegation.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

GOVERNOR'S MESSAGE.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
SACRAMENTO, March 4th, 1878. }

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bills No. 89—An Act to amend section nine of an Act entitled an Act to separate the office of County Recorder from the office of County Clerk, and to regulate the salaries of certain officers of the County of Merced, approved March twenty-sixth, eighteen hundred and seventy-four.

No. 91—An Act to authorize the Board of Supervisors of Solano County to erect a fire-proof building for the protection of the records and papers in the offices of the County Clerk and County Recorder of said county.

No. 118—An Act to amend section eight hundred and ninety-five of the Code of Civil Procedure.

No. 275—An Act supplementary to an Act entitled an Act to provide for the construction of a railroad from the Bay of San Luis Obispo, in the County of San Luis Obispo, to Santa Maria, in the County of Santa Barbara.

No. 375—An Act making appropriations to pay the expenses of Presidential Electors.

No. 390—An Act supplementary to and amendatory of an Act entitled an Act to incorporate the Town of Red Bluff, Tehama County, California, approved March thirty-first, eighteen hundred and seventy-six.

No. 401—An Act to legalize the assessment and levy of taxes in the County of Santa Cruz.

No. 404—An Act to amend an Act entitled an Act fixing the salaries and compensation of certain officers of San Luis Obispo County, approved March thirty-first, eighteen hundred and seventy-six.

No. 409—An Act conferring additional powers upon the Board of Supervisors of Alameda County, and ratifying and confirming a resolution of said Board, granting certain rights and privileges to the Berkeley Horse Railway Company.

No. 445—An Act to provide for the election of a County Auditor in the County of Solano, and to repeal an Act entitled an Act making the County Recorder of Solano County ex-officio Auditor of said county, and fixing his salary, approved January twenty-eighth, eighteen hundred and seventy-eight.

WILLIAM IRWIN, Governor.

ASSEMBLY MESSAGES.

The following messages were received from the Assembly :

ASSEMBLY CHAMBER,
SACRAMENTO, March 4th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the first day of March, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 68—An Act to authorize the Board of Supervisors of Mono County, State of California, to issue bonds for the construction of a wagon road from Antelope Valley to Dexter's Wells, in said county and State.

And, on this second day of March, passed Senate Joint Resolution No. 35—In reference to appropriation for arming and equipping the militia.

And, this day, passed, and ordered transmitted without engrossment, Assembly Bill No. 180—An Act to amend sections forty-nine and fifty of the Code of Civil Procedure, to add a new section thereto, to be numbered section fifty-one, and to amend section seven hundred and fifty-one of the Political Code—all relating to the terms and officers of the Supreme Court.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 5th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the first day of March, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 459—An Act to amend an Act entitled an Act to regulate salaries in the County of Solano, approved March thirtieth, eighteen hundred and seventy-four.

Also, Assembly Bill No. 502—An Act to amend an Act entitled an Act to fix the compensation of the Assessor of Inyo County, approved February twenty-eighth, eighteen hundred and seventy-six.

Also, Assembly Bill No. 503—An Act to amend an Act to regulate the traveling fees of the Sheriff of the Counties of Inyo and Alpine, and of the Constable, within said counties.

Also, Assembly Bill No. 500—An Act to authorize the construction of a public wagon road, in the County of San Bernardino, and to provide for the payment of the cost of the same.

Also, Assembly Bill No. 560—An Act to authorize Dockery School District to issue bonds for building purposes.

Also, Assembly Bill No. 559—An Act to provide for the payment of interest upon certain warrants of Butte County.

Also, Assembly Bill No. 562—An Act fixing the fees and compensation of the District Attorney of the County of San Luis Obispo.

Also, Assembly Bill No. 432—An Act to legalize the debt contracted in completing and furnishing a school house in Fairfield School District, and fencing the grounds thereof, and to provide for the payment of the same.

Also, Assembly Bill No. 417—An Act for securing liens of laborers and others in Humboldt County.

Also, Assembly Bill No. 402—An Act for the relief of W. J. Johnson, W. H. Perdue, John Cheney, W. L. Tomlin, and M. V. Dixon.

Also, Assembly Bill No. 509—An Act to amend an Act entitled an Act concerning county officers of Lake County, and to regulate the fees and salaries thereof.

Also, Assembly Bill No. 531—An Act to authorize the Board of Supervisors of the County of Stanislaus to provide means for the payment of certain indebtedness of said county.

And, on the second day of March, passed Assembly Bill No. 471—An Act to facilitate and equalize the collection of licenses in the City and County of San Francisco.

Also, passed Assembly Joint Resolution No. 55—Relative to a mail route in Fresno and Tulare Counties.

Also, Assembly Joint Resolution No. 46—Relative to a change in the import duty on wool.
And, on March fourth, passed Assembly Joint Resolution No. 32—Relative to certain Indians in southern counties of the State of California.

Also, passed Assembly Bill No. 631—An Act to authorize the Board of Trustees of Truckee School District, Nevada County, to pay certain claims.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 180, above reported.

Read first and second times.

Rules suspended, and, by unanimous consent, read third time.

On the passage of the bill, the ayes and noes were demanded by Messrs Nunan, Murphy of Santa Clara, and Murphy of San Luis Obispo, and the bill passed by a vote, as follows:

AYES—Messrs. Beazell, Bones, Boyston, Craig, Donovan, Evans, Flint, Fowler, Gwin, Hilborn, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Pierson, Satterwhite, Shirley, and Smith—23.

NOES—Messrs. Boring, Brown of Amador, Coleman, Crane, Curtis, Dean, Hill, Murphy of Santa Clara, Norton, Nunan, Ream, Rogers, and Whitney—13.

Assembly Bills Nos. 68, 559, 502, 503, 500, 560, 559, 562, 532, 509, 631, 531, and 471, above reported.

Each read first and second times, and severally referred to the delegations named in the bills.

Assembly Bills Nos. 417 and 402, above reported.

Each read first and second times, and referred to the Judiciary Committee.

Assembly Concurrent Resolution No. 55, and Assembly Joint Resolutions Nos. 46 and 32, above reported.

Each read first and second times, and referred to the Committee on Federal Relations.

Mr. Evans (by leave) introduced a resolution, as follows:

Resolved, That his Excellency, the Governor, be and he is hereby respectfully requested to return to the Senate, for correction of a clerical error, Senate Bill No. 275—An Act to ratify the contract between the City of Stockton, to supply gas to said city and its inhabitants, approved by the Acting Mayor of said city on the eighteenth day of December, eighteen hundred and seventy-seven.

Adopted.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows:

By Mr. Bones (by request): Senate Bill No. 477—An Act to regulate the retail liquor traffic within the State of California.

Read first and second times, and referred to the Committee on Public Morals.

Also, Senate Bill No. 478—An Act to provide funds for the school department of the Town of Alameda.

Read first and second times, and referred to the Alameda County delegation.

By Mr. Coleman: Senate Bill No. 479—An Act to amend certain sections of an Act entitled an Act to provide for the location, construction, and maintenance of public roads in the County of Nevada, approved March twenty-first, eighteen hundred and seventy-two.

Read first and second times, and referred to the Nevada County delegation.

By Mr. Fowler: Senate Bill No. 480—An Act to regulate the traveling fees of the Sheriff of the Counties of Kern and Tulare, and to repeal certain Acts therein mentioned.

Read first and second times, and ordered on the general file.

By Mr. Lewis: Senate Bill No. 481—An Act to amend sections three hundred and thirty-seven and three hundred and forty-one, and to repeal section three hundred and thirty-eight of the Civil Code of the State of California.

Also, Senate Bill No. 482—An Act to amend section three hundred and thirty-six of the Civil Code of the State of California.

Each of the above bills read first and second times, and referred to the Judiciary Committee.

By Mr. McGarvey: Senate Bill No. 483—An Act to prohibit animals from trespassing on private lands embraced within the external limits of the heretofore Mexican grants, called Yokaya and Sanel, in Mendocino County.

Read first and second times, and referred to the Committee on Agriculture.

By Mr. Evans: Senate Bill No. 484—An Act to amend section two hundred of the Code of Civil Procedure.

Read first and second times, and referred to the Committee on Corporations.

By Mr. Donovan: Senate Bill No. 485—An Act to authorize the Board of State Harbor Commissioners to adjust and pay the claims of J. C. Smith.

Read first and second times, and referred to the Committee on Commerce and Navigation.

By Mr. Haymond: Senate Bill No. 486—An Act to amend an Act entitled an Act to amend an Act entitled an Act to provide for official valuations of life insurance policies, approved April fourth, eighteen hundred and seventy, approved February thirteenth, eighteen hundred and seventy-two.

Read first and second times, and ordered on the general file, to be taken up with bills marginal numbers thirty-three and thirty-four.

Also, Senate Bill No. 487—An Act for the relief of W. W. Brown, administrator of the estate of E. L. Brown, deceased.

Read first and second times, and referred to the Committee on Claims and Finance.

SPECIAL ORDER—TWELVE O'CLOCK M.

Senate Resolution No. 43—Relating to fares and freights on railroads in this State.

Mr. Lewis moved to lay the resolution on the table, on which the ayes and noes were demanded by Messrs. Satterwhite, Lewis, and Smith, and the motion prevailed by a vote, as follows:

AYES—Messrs. Beazell, Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Crane, Evans, Flint, Goodwin, Gwin, Haymond, Hilborn, Lambert, Lewis, McCarthy, McGarvey, Murphy of San Francisco, Norton, Nunan, Rogers, and Whitney—22.

NOES—Messrs. Bones, Craig, Curtis, Dean, Donovan, Fowler, Hill, Howe, McCoppin, Montgomery, Murphy of San Luis Obispo, Murphy of Santa Clara, Pierson, Ream, Satterwhite, and Smith—16.

In accordance with previous notice, Mr. Curtis moved to reconsider the vote by which the Senate refused to recede from its amendment to Assembly Bill No. 102, on yesterday.

On the question of reconsidering the vote, the ayes and noes were demanded by the requisite number, and the vote was reconsidered by a vote, as follows:

AYES—Messrs. Boring, Boyston, Brown of Amador, Coleman, Craig, Curtis, Donovan, Evans, Flint, Fowler, Goodwin, Howe, Lambert, Lewis, McCarthy, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Ream, and Rogers—20.

NOES—Messrs. Bones, Crane, Gwin, Hilborn, Hill, McCoppin, McGarvey, Montgomery, Pierson, Satterwhite, Smith, and Whitney—13.

On the question, "Will the Senate recede from its amendment to the bill?" the ayes and noes were demanded by Messrs. McGarvey, Craig, and McCoppin, and the Senate receded by a vote, as follows:

AYES—Messrs. Boring, Boyston, Brown of Amador, Coleman, Craig, Curtis, Evans, Flint, Fowler, Goodwin, Lambert, McCarthy, Murphy of San Francisco, Murphy of San Luis Obispo, and Ream—15.

NOES—Messrs. Bones, Crane, Gwin, Hilborn, Hill, Lewis, McCoppin, McGarvey, Montgomery, Murphy of Santa Clara, Pierson, Shirley, Smith, and Whitney—14.

Mr. McCarthy submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, March 5th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Joint Resolution No. 35—In reference to appropriation for arming and equipping the militia.

And this day, at twelve o'clock and forty-five minutes P. M., presented the same to the Governor.

McCARTHY, Chairman.

SPECIAL ORDER

Set for half-past twelve o'clock P. M., was now taken up:

Substitute for Senate Bill No. 13—An Act to provide a system of irrigation.

Senate Bill No. 462—An Act to provide a system of irrigation, promote rapid drainage, and improve the navigation of the Sacramento and San Joaquin Rivers.

At one o'clock and thirty minutes P. M., Mr. McGarvey moved to adjourn, on which the ayes and noes were demanded by the requisite number, and the Senate refused by a vote, as follows:

AYES—Messrs. Brown of Amador, Evans, Flint, Goodwin, McCoppin, McGarvey, Ream, Satterwhite, Shirley, and Whitney—10.

NOES—Messrs. Beazell, Bones, Boring, Coleman, Curtis, Dean, Fowler, Haymond, Hill, Lambert, McCarthy, and Nunan—12.

On motion of Mr. Haymond, the special order was postponed until to-morrow, at twelve o'clock M.

GOVERNOR'S MESSAGE.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
SACRAMENTO, CAL., March 5th, 1878. }

To the Senate of the State of California:

In compliance with a resolution, passed by your honorable body, I have the honor to return to you, for the correction of a clerical error, Senate Bill No. 275—An Act to ratify the contract

between the Stockton Gas Company and the City of Stockton, to supply gas to said city and its industrial plants, approved by the Acting Mayor of said city on the eighteenth day of December, eighteen hundred and seventy-seven.

WILLIAM IRWIN, Governor.

At one o'clock and forty-five minutes p. m., Mr. Brown of Amador moved to adjourn.

Lost.

[Mr. Murphy of Santa Clara in the chair.]

GENERAL FILE.

Senate Bill No. 210—An Act concerning street contracts in San Francisco.

Mr. Pierson moved to re-commit the bill to its author, Mr. Murphy of San Francisco, with instructions to report the substitute for the original bill.

On which the ayes and noes were demanded by Messrs. Pierson, Murphy of San Francisco, and McCarthy, and the motion was lost by a vote, as follows:

Ayes—Messrs. Donn, Donovan, and Pierson—3.

Noes—Messrs. Beazell, Bones, Boring, Boyston, Brown of Amador, Crane, Curtis, Evans, Fowler, Gwin, Haymond, Howe, Lambert, Lewis, McCarthy, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Norton, Numan, Ream, Satterwhite, and Whitney—22.

Mr. Pierson moved to re-commit the bill to its author, with special instructions to amend, as follows:

Amend section five by striking out, in lines twenty-five and twenty-six, the words "amount due and unpaid on such assessment," and insert, as follows: "Actual cash value of the work, labor, and materials employed in the work specified in their contracts, at the time the same was performed, and from such amount shall be deducted all payments made by property owners on account of the said assessments. The contract price shall be no evidence of such value, but the said actual value shall be determined by the Court upon evidence extrinsic to such contract."

On which the ayes and noes were demanded by the requisite number, and the Senate refused to so re-commit the bill by a vote, as follows:

Ayes—Messrs. Coleman, Dean, Flint, Hill, McCoppin, Murphy of Santa Clara, Pierson, and Smith—8.

Noes—Messrs. Beazell, Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Craig, Crane, Curtis, Donovan, Evans, Fowler, Haymond, Howe, Lambert, Lewis, Montgomery, Montgomery, Murphy of San Francisco, Norton, Numan, Ream, Rogers, and Satterwhite—25.

Mr. Donovan moved to refer the bill to the Committee of the Whole, with special instructions to strike out the words "John J. Brady," in line thirteen, section four, and insert "minor heirs of Bartholomew Kenny."

Lost.

Bill read third time.

On its passage, the ayes and noes were demanded by the requisite number, and it passed by a vote, as follows:

Ayes—Messrs. Beazell, Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Craig, Crane, Curtis, Evans, Fowler, Gwin, Haymond, Howe, Lambert, Lewis, McCarthy,

McGarvey, Montgomery, Murphy of San Francisco, Norton, Nunan, Pierson, Ream, Rogers, Satterwhite, and Shirley—27.

NOES—Messrs. Dean, Donovan, Flint, Hill, McCoppin, Murphy of Santa Clara, Smith, and Whitney—8.

Mr. Pierson gave notice that he would, on to-morrow, move to reconsider the vote by which the bill passed.

Senate Bill No. 305—An Act to authorize certain appropriations of money by the City and County of San Francisco.

Amendment concurred in.

Mr. McCoppin offered an amendment, as follows:

Amend section one by striking out the words "Board of Supervisors," and insert in lieu thereof the words "County Court."

Mr. Pierson moved to amend section three by striking out "twenty thousand dollars," and inserting "five thousand dollars."

Lost.

Mr. McCarthy moved to suspend the rules, to consider the bill engrossed, and place it on its third reading and passage, on which the ayes and noes were demanded by the requisite number, and the motion prevailed by a vote, as follows:

AYES—Messrs. Beazell, Bones, Boyston, Brown of Amador, Brown of El Dorado, Craig, Crane, Evans, Flint, Gwin, Hill, Howe, Lambert, Lewis, McCarthy, Montgomery, Murphy of San Francisco, Norton, Ream, and Shirley—20.

NOES—Messrs. Coleman, McCoppin, Murphy of Santa Clara, Pierson, Rogers, Smith, and Whitney—7.

Bill read third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. McCoppin, Craig, and Lewis, and it passed by a vote, as follows:

AYES—Messrs. Beazell, Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Craig, Crane, Curtis, Evans, Flint, Fowler, Gwin, Hill, Lambert, Lewis, McCarthy, Montgomery, Murphy of San Francisco, Norton, Ream, Satterwhite, and Shirley—23.

NOES—Messrs. Coleman, McCoppin, Murphy of Santa Clara, Pierson, Rogers, Smith, and Whitney—7.

ADJOURNMENT.

At three o'clock and forty-five minutes P. M., on motion of Mr. Evans, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
WEDNESDAY, March 6th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boring, Boyston, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Evans, Flint, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Ream, Rogers, Satterwhite, Shirley, Smith, and Whitney.

Quorum present.

The Journal of yesterday not read, by general consent, and approved.

PETITIONS.

Petitions were presented, as follows :

By Mr. McGarvey—A remonstrance from citizens of Cuffey's Cove, Mendocino County, against the passage of a bill reducing telegraphic rates.

Received, and referred to the Committee on Corporations.

By Mr. Dean—A remonstrance from citizens and residents of the City and County of San Francisco, against the passage of Assembly Bill No. 479.

Received, and referred to the San Francisco delegation.

Mr. Lewis, Chairman of the Committee on Education, asked leave to withdraw from the possession of the Senate the petitions in relation to text-books.

Permission granted.

REPORTS.

Reports were submitted, as follows :

By Mr. Coleman :

MR. PRESIDENT: The Nevada County delegation, to whom was referred Senate Bill No. 479—An Act to amend certain sections of an Act entitled an Act to provide for the location, construction, and maintenance of public roads in the County of Modoc, approved March twenty-first, eighteen hundred and seventy-two—have had the same under consideration, report it back, and recommend its passage.

COLEMAN, for Delegation.

Rules suspended, and the bill taken up for consideration.

Considered engrossed, read third time, and passed.

Ordered to the Assembly without engrossment.

By Mr. Beazell :

MR. PRESIDENT: The Alameda delegation, to whom was referred Assembly Bill No. 450—An Act relative to the appropriation of moneys, by the Common Council of the City of Oakland, to certain benevolent societies, out of the public funds of said city—report the same back, and recommend its passage.

Also, have had under consideration, Assembly Bill No. 457—An Act in relation to the collection of licenses in Alameda County—report the same back, and recommend its passage.

BEAZELL,
J. W. BONES.

Mr. Hilborn, for the delegation, verbally reported, recommending its passage, Senate Bill No. 474—An Act to provide for the election of Assessor, a City Marshal, and a Treasurer, for the City of Benicia, and to prescribe their duties; also, to grant further powers to the Trustees of said city.

Rules suspended, and the bill taken up for consideration.

Considered engrossed, read third time, and passed.

Ordered to Assembly without engrossment.

Also, Assembly Bill No. 432—An Act to legalize the debt contracted in completing and furnishing a school house in Fairfield School District, and fencing the ground thereof, and to provide for the payment of the same—recommending its passage.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

Also, by Mr. Hilborn, from the Committee on Corporations, Senate Bill No. 432—An Act to amend sections three hundred and twenty-four, three thousand and eighty-seven, three thousand and eighty-eight, three thousand and ninety-one, three thousand and ninety-two, three thousand and ninety-three, three thousand and ninety-four, and three thousand and ninety-five of the Civil Code of the State of California, without recommendation.

Mr. McCoppin, the author of the bill, asked leave to withdraw the same from the further consideration of the Senate.

So ordered.

Mr. Beazell, for the joint delegations, verbally reported, with amendment, recommending the passage of the bill as amended, Assembly Bill No. 380—An Act to amend section three thousand nine hundred and fifty-one of the Political Code, in reference to the boundary line between the Counties of San Mateo and Alameda.

Rules suspended, and the bill taken up for consideration.

Amendment adopted.

Read third time, and passed.

By Mr. Howe:

MR. PRESIDENT: The Committee on Commerce and Navigation have considered Assembly Bill No. 201—An Act to amend section two thousand eight hundred and seventy-two of the Political Code—report the same to the Senate, and recommend its passage.

ROBERT HOWE, Chairman.

By Mr. Goodwin:

MR. PRESIDENT: Assembly Bill No. 461 is hereby reported back, with the recommendation that it pass.

J. O. GOODWIN.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

By Mr. Beazell:

MR. PRESIDENT: The Alameda delegation have had under consideration Senate Bill No. 478—An Act to provide funds for the school department of the Town of Alameda—report the same back, and recommend its passage.

BEAZELL.

J. W. BONES.

By Mr. McGarvey:

MR. PRESIDENT: The Judiciary Committee, to whom was referred Assembly Bill No. 446—An Act in relation to Swamp Land District Number Three Hundred and Seven, and legalizing certain proceedings—have had the same under consideration, and report it back with an amendment, and recommend its passage as amended.

Also, Assembly Bill No. 402—An Act for the relief of W. J. Johnson, W. H. Perdue, John Cheney, W. L. Tomlin, and M. V. Dixon—report the same back with amendments, and a majority recommend its passage as amended.

Also, Assembly Bill No. 417—An Act giving a lien to loggers and laborers, employed in logging camps upon the logs cut and hauled, by the person who employs them—report the same back, and recommend that it do not pass.

Also, Senate Bill No. 445—An Act creating the Twenty-third Judicial District, and defining the Third and Twelfth Districts—report the same back, and recommend that it do not pass.

R. MCGARVEY, Chairman.

ASSEMBLY MESSAGE.

The following message was received from the Assembly:

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the fourth day of March, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 336—An Act to amend section one hundred and fifty-seven of the Political Code, relative to legal distances in this State.

Also, passed Senate Bill No. 218—An Act to amend section one thousand five hundred and ninety of the Penal Code.

And, on March fifth, passed Senate Bill No. 57—An Act to reimburse the County of Placer for moneys expended in the collection of State taxes.

Also, Senate Bill No. 449—An Act to amend an Act entitled an Act to incorporate the Town of Manteca, and to provide for the government thereof, approved April first, eighteen hundred and sixty-six.

Also, Senate Bill No. 592—An Act to amend an Act entitled an Act to establish and define the powers and duties of the Board of Education of the City of Petaluma, approved January sixth, eighteen hundred and seventy-two, and the Acts supplementary thereto and amendatory thereof.

Also, Senate Bill No. 54—An Act to regulate the fees and establish the compensation of the County Board of the County of Placer, and to amend an Act entitled an Act to fix the salary of the County Board of the County of Placer, approved March twenty-seventh, eighteen hundred and seventy-four.

Also, Senate Bill No. 266—An Act to amend an Act to provide for the maintenance and construction of roads and highways in the County of Mariposa, approved March thirty-first, eighteen hundred and seventy-six.

Also, Senate Bill No. 343—An Act to fund certain indebtedness of Solano County.

Also, Senate Bill No. 389—An Act concerning the Santa Clara Avenue and certain public lands of the City of San José, in the County of Santa Clara.

Also, Senate Bill No. 57—An Act to amend an Act entitled an Act to reincorporate the City of San José, approved March seventeenth, eighteen hundred and seventy-four.

Also, Senate Bill No. 78—An Act to amend an Act entitled an Act relating to the county officers of Santa Clara County, first passed and revised, approved February tenth, eighteen hundred and seventy-six.

Also, Senate Bill No. 401—An Act to authorize the Board of Supervisors of the County of Santa Clara to issue bonds in payment of certain indebtedness.

Also, Senate Bill No. 162—An Act concerning licenses in the County of San Benito.

Also, Senate Bill No. 32—An Act concerning the water right of the City and County of San Francisco.

Also, Senate Bill No. 339—An Act to amend an Act entitled an Act to create a Board of Agriculture in El Dorado County, and fix the powers and duties thereof, approved March twentieth, eighteen hundred and seventy-four, and the Acts amendatory thereof, approved April first, eighteen hundred and seventy-six.

Also, Senate Bill No. 341—An Act to amend an Act entitled an Act authorizing the Trustees of San Francisco School District, Northern County, to issue bonds for said district for the purpose of building and repairing, approved March twentieth, eighteen hundred and seventy-two.

Also, Senate Bill No. 342—An Act to legalize a tax for building a school house in the New York School District, in Contra Costa County.

Also, Senate Bill No. 238—An Act to amend an Act entitled an Act to amend the Twenty-first Judicial District, approved February twentieth, eighteen hundred and seventy-six, by changing the dates of holding the terms of Court in said district.

Also, Senate Bill No. 116—An Act to amend an Act in relation to the government of the County of Sacramento, approved March twentieth, eighteen hundred and seventy-four.

Also, Senate Bill No. 2—An Act to amend an Act entitled an Act to reincorporate the City of Stockton, approved March twenty-seventh, eighteen hundred and seventy-two.

Also, amended and passed Senate Bill No. 428—An Act respecting the Hospital of the County of Placer.

Also, Senate Bill No. 115—An Act to confer powers upon the Board of Supervisors of the City and County of San Francisco to provide for the opening of Army street, and the construction of a public market there.

Also, Senate Bill No. 86—An Act to declare Clear Lake, in Lake County, navigable.

Also, Senate Bill No. 54—An Act relating to the Sheriff of Butte County the collection of licenses therein, and fixing his salary therefor.

Also, amended and passed Senate Bill No. 29, 343, and 522; and refused to amend Senate Bill No. 28—An Act to amend sections one hundred and thirty-sixth and one hundred and forty-two of the Civil Code, in relation to the husband providing for the support of the wife during unlawful desertion or proceedings for divorce.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 335, above reported.

Read first and second times, and referred to the delegation named in the bill.

Senate Bills Nos. 115 and 354, above reported.

Assembly amendments to the bills concurred in.

Senate Bill No. 428, above reported.

Ordered on general file.

Senate Bill No. 86, above reported.

Referred to the Committee on Commerce and Navigation.

Assembly Bill No. 386, above reported.

The Senate refused to recede from its amendment, and, on motion of Mr. Haymond, a committee of free conference was ordered, which the Chair appointed, as follows: Messrs. Haymond, McFarvey, and Pierson.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows:

By Mr. Shirley: Senate Bill No. 488—An Act to amend an Act entitled an Act concerning roads and highways in Contra Costa County, approved March eleventh, eighteen hundred and seventy-six.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed, and ordered to the Assembly without engrossment.

By Mr. Murphy of San Francisco: Senate Bill No. 489—An Act to amend certain sections of the Political Code, and to enact and add certain sections thereto, relating to pilots and pilot regulations.

Read first and second times, and referred to the Committee on Commerce and Navigation.

By Mr. Evans: Senate Bill No. 490—An Act to ratify the contract between the Stockton Gas Company and the City of Stockton, etc.

Read first and second times, considered engrossed, and, by unanimous consent, read third time, and passed.

Ordered to the Assembly without engrossment.

By Mr. Dean: Senate Bill No. 491—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California.

Read first and second times, and referred to the Judiciary Committee.

MOTIONS AND RESOLUTIONS.

On motion of Mr. Haymond, the rules were suspended, and Senate Bill No. 234 taken from unfinished business, and ordered at the head of the general file for to-morrow.

By Mr. Lambert:

Resolved, That J. W. Hawkins, late Sergeant-at-Arms of the Senate, be allowed twenty-four dollars for three days' attendance on the Senate, at the opening of the present session of the Legislature; the said sum to be paid out of the fund for the contingent expenses of the Senate.

Adopted.

By Mr. Curtis:

Resolved, That H. Clock be allowed twelve dollars for three days' services as Porter.

Referred to the Committee on Contingent Expenses.

Mr. Evans offered a resolution, providing for allowing the Sergeant-at-Arms two hundred and seventy-eight dollars and fifty cents for postage stamps used in mailing reports of the Committee on Chinese Immigration, in accordance with a resolution adopted January twenty-second.

Referred to the Committee on Contingent Expenses.

GENERAL FILE.

Senate Bill No. 396—An Act to amend an Act entitled an Act to regulate practice in the Supreme Court, approved March sixteenth, eighteen hundred and seventy-two, and to add three sections to the Code of Civil Procedure, to be known as sections fifty-one, fifty-two, and fifty-three.

Withdrawn by Mr. Boyston, the author of the bill, by general consent.

Senate Bill No. 406—An Act for the relief of Henry Malton.

Withdrawn by Mr. Beazell, the author of the bill, by general consent.

Senate Bill No. 198—An Act to re-organize and simplify the school system and public education of the State of California.

Withdrawn by Mr. Curtis, the author of the bill, by general consent.

Senate Bill No. 56.

Passed on file.

Substitute for Senate Bill No. 46—An Act to amend and reenact an Act entitled an Act to protect and encourage the production and sale of pure and wholesome milk, and to prohibit and punish the production of unwholesome or adulterated milk, approved March twelfth, eighteen hundred and seventy.

Substitute adopted.

Amended.

On the engrossment of the bill, the ayes and noes were demanded by Messrs. Craig, Rogers, and Howe, and it was ordered engrossed by a vote, as follows:

AYES—Messrs. Bones, Boyston, Craig, Curtis, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Lambert, Lewis, McCoppin, McGarvey, Montgomery, and Ream—17.

NOES—Messrs. Boring, Brown of El Dorado, Coleman, Crane, Dean, Hill, Howe, Murphy of Santa Clara, Pierson, Rogers, Satterwhite, Shirley, and Whitney—13.

SPECIAL ORDERS,

Set for twelve o'clock M., were now taken up.

The message of the Governor, as follows:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
SACRAMENTO, CAL., March 2d, 1878. }

To the Senate of the State of California:

I have the honor to inform your honorable body that I nominate, as a member of the State Board of Harbor Commissioners, William Blanding, *vac* himself, term expired, and respectfully ask your honorable body to consent to his appointment as such member.

WILLIAM IRWIN, Governor.

The Senate was considered as in executive session, to consider the appointment.

Upon the question, "Will the Senate advise and consent to the

appointment of William Blanding, *vice* himself, term expired, as a member of the State Harbor Commissioners?" the roll was called, with the following result:

AYES—Messrs. Beazell, Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCoppin, Montgomery, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Shirley, and Whitney—31.
 NOES—None.

Whereupon the Chair announced the appointment of William Blanding, as a member of the Board of State Harbor Commissioners, duly confirmed.

SPECIAL ORDERS—CONTINUED.

Substitute for Senate Bill No. 13—An Act to provide a system of irrigation.

Senate Bill No. 462—An Act to provide a system of irrigation, promote rapid drainage, and improve the navigation of the Sacramento and San Joaquin Rivers.

Reported from the Committee of the Whole, with a recommendation that substitute for Senate Bill No. 13 be adopted as amended, and that Senate Bill No. 462 be indefinitely postponed.

Substitute adopted.

Amendments concurred in.

On motion of Mr. Goodwin, section four, subdivision ten, was amended.

Mr. Lewis offered an amendment to subdivision fourteen, as follows: "Provided, that the consulting engineers, appointed under the provisions of this Act, shall not be selected from the army or navy of the United States."

Lost.

On motion of Mr. Goodwin, section ten, subdivision one, was amended.

[Mr. Evans in the chair.]

Mr. Goodwin moved to amend the amendment to section nineteen by striking out "one hundred and fifty thousand dollars," and to insert "one hundred thousand dollars."

On the adoption of the amendment, the ayes and noes were demanded by Messrs. Norton, Fowler, and Whitney, and the Senate refused to adopt it by a vote, as follows:

AYES—Messrs. Bones, Boring, Crane, Curtis, Dean, Goodwin, Hill, Lewis, Montgomery, Murphy of San Luis Obispo, Norton, Ream, Shirley, and Whitney—14.

NOES—Messrs. Beazell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Donovan, Evans, Flint, Fowler, Gwin, Haymond, Hilborn, Howe, Lambert, McCarthy, McCoppin, McGarvey, Murphy of San Francisco, Murphy of Santa Clara, Nunan, Pierson, Rogers, and Satterwhite—24.

The Senate refused to indefinitely postpone Senate Bill No. 462, as recommended by the Committee of the Whole.

On motion of Mr. Lambert, Senate Bills Nos. 13 and 462 were made a special order for to-morrow, Thursday, at twelve o'clock M.

The following bills, heretofore transmitted from the Assembly, were taken up:

Senate Bill No. 428.

Assembly amendments concurred in.

Senate Bill No. 82.

On motion of Mr. Pierson, the bill was made a special order for to-morrow, Thursday, at one o'clock P. M.

[President in the chair.]

Mr. Nunan submitted a report, as follows :

MR. PRESIDENT: The San Francisco delegation, to whom was referred Senate Bill No. 412—An Act concerning the macadamizing, etc., of Tyler Street from Market Street, and to prohibit the laying down of a railroad track thereon—have had the same under consideration, report it back, and recommend its passage.

Also, Assembly Bill No. 318—An Act amendatory of and supplemental to an Act entitled an Act to create a City Criminal Court in and for the City and County of San Francisco, to define its powers and jurisdiction, approved April third, eighteen hundred and seventy-six—have had the same under consideration, report it back, and recommend its passage as amended.

Also, Senate Bill No. 297—An Act to amend sections three and five of an Act to authorize the City and County of San Francisco to provide and maintain public water-works for said city and county, and purchase private property for that purpose, approved March twenty-seventh, eighteen hundred and seventy-six—have had the same under consideration, report it back, and recommend passage of accompanying substitute.

Also, Senate Bill No. 25—An Act to create and establish a Board of Public Works for the City and County of San Francisco, and to abolish the offices of City and County Surveyor, and Superintendent of Public Streets, Highways, and Squares—have had the same under consideration, report it back, and recommend passage of accompanying printed bill.

E. NUNAN, Chairman.

On motion of Mr. Nunan, Senate Bill No. 279 was made a special order for Friday next, at one o'clock.

GOVERNOR'S MESSAGE.

The following message was received from the Governor :

To the Senate of the State of California :

I herewith respectfully return to your honorable body substitute for Senate Bills Nos. 416 and 417—Entitled an Act for the relief of sufferers by the late storm and floods—without my approval. The bill appropriates twenty-five thousand dollars to the Howard Benevolent Association of the City of Sacramento, and charges said association with the duty of disbursing twelve thousand dollars of the sum for the relief of such destitute sufferers by the recent floods as may apply to the association, and of paying the remainder thereof to certain persons named, in the Counties of Yolo, Colusa, Sutter, and Yuba, who are required to disburse the sums delivered to them, respectively, for the relief of such indigent sufferers by the floods, in the several counties named, as may apply for relief. The bill provides that the several parties named, other than the Howard Association, shall report their acts, under the bill, to the Howard Association, and that said association shall report to the Governor, including in its report the reports which shall have been made to it.

I am quite aware that it is an ungracious act to interpose to prevent the distribution of charity to the indigent and suffering, and it would be much more consonant with my feelings—if I were at liberty to consult my feelings in matters of official action—to approve than to disapprove the present bill. It is only a sense of official duty that impels me to withhold my signature from it.

It is perhaps not easy to define, in every instance, just how far the Legislative power may go in making appropriations from the public treasury for charitable objects—while it is not tenable, that the Legislature shall not in any instance, or under any circumstances, appropriate the public funds to objects of charity. I hold that such appropriations are admissible, or can be justified, only in extreme cases.

First—The State is not a grand insurance company which undertakes, in consequence of the taxes paid by the citizen, to reimburse him for the losses he may sustain by flood, or drought, or fire. The taxes paid by the citizen are not, in any instance, or under any circumstances, applicable to any such purpose. They are paid for totally different objects; and, no matter how great the losses of the citizen from these sources, he has not the shadow of a claim on the public treasury for reimbursement. No matter, therefore, what the losses of any portion of the people may have been by the recent floods, the Legislature cannot rightfully appropriate public moneys to make good, even in the smallest degree, those losses.

Second—Nor is the State an eleemosynary institution, whose proper function is to distribute gratuities to the needy, or to assist along the weak and unfortunate. The proper function of the State is to secure peace and order in society, to protect the citizen in the exercise of his just rights, and to see that justice is done between man and man.

A government may not impose taxes on the property of the community, and bestow the proceeds of such taxation on the propertyless members of such community, either because the comfort and happiness of such members would be increased, or because they would thus be placed in a position to add more, by their future labor, to the general prosperity and wealth of the community.

If this view of the proper function of government be correct, it would be a mere bald usurpation for the Legislature to appropriate money from the public treasury to set their more indigent portion of the community up in business, or to enable those who have lost their stock and farming implements by the recent floods to resume the cultivation of their farms.

The question of sympathy for those who have lost by the floods, and who are left in a state of comparative destitution, must not be confounded with the question of the rightful power of the Legislature to appropriate money from the public treasury for their relief. No one will deny that the sufferers by the recent floods are proper objects of our sympathy; but I think it will hardly be contended that they ought, save in very exceptional cases, to be helped from the public treasury.

Third—When, or under what circumstances, does it become justifiable and proper to make appropriations from the public treasury for purposes of charity? The bestowal of charity is only a very subordinate object of government, if it is not a mere incident. But whether we regard it as one of the objects for which government is instituted, or merely an extraneous matter forced on it by circumstances, it is nevertheless true that all governments, at times, feel themselves compelled to make appropriations from the public treasury for charitable purposes. The Government of British India has been compelled to disburse millions on millions from the public treasury to keep the people from starvation. The Legislature of this State also appropriates considerable sums at each session to charitable objects. These appropriations are made to various benevolent associations and orphan asylums.

It is hardly necessary to say that the charitable disbursements of the Indo-British Government are based on the assumption that the people are powerless to help themselves, and that without assistance from the government they must perish. The charitable appropriations made by our Legislature are based on a like assumption. There are more or less persons in this State who, through disease or age, or both, have become incapable of supporting themselves; and being without means, and having no relatives who are able and willing to support them, they must be supported by the State, or depend on the uncertain charity of strangers. And why should they be supported by strangers? It cannot be said that the obligation is any greater on one stranger than on another to support these indigent helpless ones. There being no special obligation on any one to look after them, they would be liable to die from want if the State did not interpose.

Hence the State is compelled, in order to save the lives of these indigent helpless ones, and to secure to them that degree of comfort which humanity requires us to furnish them, to make appropriations from the public treasury for their support. So, too, in the case of the orphans. The child, from birth to twelve or fourteen years of age, is entirely dependent on some one else than itself, not merely for comfort, but for continued existence. Its parents are its natural supporters and protectors. If it is deprived of them by death, and has no other relations, able and willing to take care of and support it, it must perish, or be supported by strangers or by the State. But why should any particular stranger feel it to be his duty to take care of and support such child? Such obligation cannot be fixed on any particular stranger. Hence the State, which is the embodied aggregate of every stranger in the political community, must assume the responsibility of providing for the child till it shall become of such age as to be able to provide for itself. So soon, however, as the child becomes able to support itself the State may no longer support it by charity.

From the above, I deduce the rule which should govern the State in the bestowal of charity to be this: It should bestow charity only in those cases where it is necessary to preserve life, and secure such a degree of comfort as we are required by the dictates of humanity to secure to every human being. The State should not be called on to make appropriations to aid those who, by the proper exercise of their powers, can preserve their own lives, and secure for themselves such a degree of comfort as the ordinary humane feeling of civilized men and women demand that all human beings shall have. If parties can accomplish these things for themselves, either by their own labor directly or through the charitable assistance of their neighbor, or by means of credit with those who may be able and willing to aid them in the hour of need, trusting to their future ability and honesty for reimbursement, the Legislature would not be justifiable in opening the State treasury for their aid.

Now, as the result of such inquiries as I have been able to make, I am satisfied that the great body of those injured by the recent floods fall into one or another of the above categories—first, they will be able to struggle through their present difficulties by their own unaided exertions; or, second, their neighbors will extend to them such charitable assistance as their temporary necessities may require; or, third, merchants and others will give them credit for their present necessities, trusting in their future ability and honesty for payment. I think nearly, if not quite, all the sufferers in the counties other than Sacramento and Yolo, named in this bill, fall into one or another of these categories. If so, the appropriation for them is not necessary, in the sense above explained, and consequently not proper or justifiable.

In this city and county, however, and also in parts of Yolo County, there are persons, and perhaps in considerable numbers, who do not fall into either of the above categories: they cannot support themselves without aid; they cannot procure credit at the stores or elsewhere for their

present assessments, and their numbers are such, as to tax the charitable of the locality beyond their power to meet.

The Howard Benevolent Association of this city is an institution, which has been in existence for nearly a quarter of a century, and has received aid from the state treasury for nearly twenty years. It was organized to meet the needs of a necessity.

The financial straits, occasioned by the flood of pauper demands on the Howard, beyond the capacity of their present resources, I would as a patriotic legislator, to that locality, to meet the present extraordinary emergency, if the church would not be objectionable, and I would cheerfully give my approval to a proper bill for that purpose.

WILLIAM IRWIN, Governor.

On motion of Mr. Goodwin, the message of the Governor was made a special order for to-morrow, Thursday, at eleven o'clock and thirty minutes A. M.

GENERAL FILE RESUMED.

Substitute for Assembly Bills Nos. 34 and 52—An Act to amend the Political Code of the State of California; and other Acts concerning the National Guard.

Read third time, and passed.

Assembly Joint Resolution No. 17—Relative to soldiers' and sailors' additional homesteads.

Indefinitely postponed.

Assembly Joint Resolution No. 10—Relative to reserving the fresh waters upon public lands.

Read third time, and passed.

Assembly Bill No. 330—An Act to amend section two thousand and twenty-one of the Code of Civil Procedure by adding a new subdivision thereto, relative to depositions of material witnesses.

Read third time, and passed.

Senate Bill No. 426—An Act to amend section three thousand eight hundred and eighty-one of the Political Code.

Rules suspended, considered engrossed, read third time, and passed.

At three o'clock and forty minutes P. M., Mr. Murphy of San Luis Obispo moved to adjourn.

Lost.

Senate Bill No. 427—An Act to regulate and provide for the payment of the fees of medical experts as witnesses in civil and criminal actions in the Courts.

Amendments concurred in.

Rules suspended, considered engrossed, read third time, and passed.

Title amended.

Senate Bill No. 56—An Act to provide homes for homeless children, and for such as whose parents or natural guardians are incapable of taking care of.

Amendments concurred in.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 418—An Act to amend section six hundred and two of the Penal Code.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 320—An Act to amend the Political Code, by adding a new section thereto, to be known as section three thousand three hundred and eighty-eight, in relation to licenses.

Referred to Judiciary Committee.

Senate Bill No. 420—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco, and

upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 345—An Act to repeal an Act entitled an Act to protect agriculture in the County of El Dorado, approved March twentieth, eighteen hundred and seventy-six.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 430—An Act to create a bureau of labor and statistics of labor in the State of California.

Mr. Murphy of Santa Clara moved to make the bill a special order for Saturday, at twelve o'clock M.

Lost.

Mr. Norton moved to make the bill a special order for Friday next, at twelve o'clock M., on which the ayes and noes were demanded by the requisite number, and the Senate refused by a vote, as follows:

AYES—Messrs. Bones, Craig, Haymond, Lambert, Lewis, McGarvey, Montgomery, Murphy of Santa Clara, Norton, Nunan, Pierson, Rogers, and Whitney—13.

NOES—Messrs. Beazell, Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Curtis, Dean, Donovan, Gwin, Hilborn, Hill, Howe, McCarthy, Ream, and Satterwhite—16.

The bill was amended, on motion of Mr. Rogers.

On motion of Mr. Murphy of Santa Clara, the bill was ordered at the head of the general file for to-morrow.

Mr. McGarvey offered a resolution, as follows:

Resolved, That the Secretary prepare, and the State Printer print, a complete history of each Senate bill that has been introduced.

Adopted.

On motion of Mr. Dean, Senate Bill No. 41 ordered number four, on the general file, for to-morrow.

ADJOURNMENT.

At four o'clock and fifty minutes P. M., on motion of Mr. Beazell, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
THURSDAY, March 7th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Dean, Donovan, Evans, Fowler, Goodwin, Gwin, Hill, Howe, Lambert, Lewis, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Norton, Nunan, Pierson, Rogers, Satterwhite, Shirley, Smith, and Whitney.

Quorum present.

The Journal of yesterday not read, and approved, on motion of Mr. Murphy of San Francisco.

LEAVE OF ABSENCE.

Messrs. Ream and Flint were granted three days' leave of absence, and Mr. Curtis for two days.

REPORTS.

Reports were submitted, as follows:

Mr. Crane, for the delegation, verbally reported, recommending the passage of the bills, Assembly Bill No. 559—An Act to provide for the payment of interest upon certain warrants of Butte County.

Also, Assembly Bill No. 560—An Act to authorize Dockery School District to issue bonds for building purposes.

Mr. Fowler, for the delegation, verbally reported, recommending their passage, Assembly Bill No. 502—An Act to amend an Act entitled an Act to fix the compensation of the Assessor of Inyo County, approved February twenty-eighth, eighteen hundred and seventy-six.

Also, Assembly Bill No. 503—An Act to amend an Act to regulate the traveling fees of the Sheriffs of the Counties of Inyo and Alpine, and of the Constables, within said counties.

Also, Assembly Bill No. 68—An Act to authorize the Board of Supervisors of Mono County, State of California, to issue bonds for the construction of a wagon road from Antelope Valley to Dexter's Wells, in said county and State.

By Mr. Coleman:

MR. PRESIDENT: The Nevada County delegation, to whom was referred Assembly Bill No. 631—An Act to authorize the Board of Trustees of Truckee School District, Nevada County, to pay certain claims—have had the same under consideration, report it back, and recommend its passage.

JOHN C. COLEMAN, for Delegation.

By Mr. Hill:

SENATE CHAMBER.
SACRAMENTO, March 7th, 1878. }

MR. PRESIDENT: The delegation from Lake County, to whom was referred Assembly Bill No. 484—An Act to authorize the formation of a new school district out of portions of other school districts, in Lake County—have had the same under consideration, and herewith report the bill back, with a recommendation that it pass.

Also, Assembly Bill No. 509—An Act to amend an Act entitled an Act concerning county officers of Lake County, and to regulate the fees and salaries thereof—and herewith report the bill back to the Senate, and recommend passage.

HILL, for Delegation.

By Mr. Montgomery:

MR. PRESIDENT: The delegation, to whom was referred Assembly Bill No. 531, reports the same back, without amendment, and recommends its passage.

MONTGOMERY, for Delegation.

By Mr. Brown of El Dorado:

MR. PRESIDENT: The delegation, to whom was referred Assembly Bill No. 462—An Act amendatory of and supplementary to an Act entitled an Act appointing and empowering Charles F. Irwin, a trustee, to execute certain trusts, directing the manner of executing the same and the use of the fund arising therefrom—having had the same under consideration, report it back to the Senate, and recommend its passage.

BROWN, for the Delegation.

By Mr. Nunan:

SENATE CHAMBER,
SACRAMENTO, March 6th, 1878. }

MR. PRESIDENT: The San Francisco delegation, to whom was referred Senate Bill No. 203—An Act to provide for the extension of Tehama Street, in the City and County of San Francisco—have had the same under consideration, report it back, and recommend its passage as amended.

Also, Senate Bill No. 271—An Act conferring additional powers upon the Board of Supervisors, and the Auditor and Treasurer of the City and County of San Francisco—report it back, and recommend its passage.

Also, Senate Bill No. 410—An Act to provide for the construction and maintenance of municipal gas-works in the City and County of San Francisco—report it back, and recommend that it do not pass.

Also, Senate Bill No. 437—An Act to regulate the quality and standard illuminating power and the price of gas, in all cities within the State of California having a population of one hundred thousand or more—report it back, and recommend that it do not pass.

Also, Senate Bill No. 302—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco—report it back, and recommend that it do not pass.

Also, Senate Bill No. 191—Relative to health and quarantine regulations—report it back, and recommend that it do not pass.

Also, Senate Bill No. 289—An Act to add two new sections to the Code of Civil Procedure of this State—report it back, and recommend that the author leave to withdraw the same.

Also, Senate Bill No. 347—Relative to establishing the boundaries of the City and County of San Francisco, etc.—report it back, and recommend that it do not pass.

Also, Senate Bill No. 357—An Act to provide for the appointing of an additional Deputy Clerk for the Justices' Court of the City and County of San Francisco—report it back, and recommend its passage.

Also, Senate Bill No. 38—Relative to the appointment of an Inspector of Stationary Steam-boilers, etc.—report it back, and recommend that it do not pass.

Also, substitute for, and Senate Bill No. 140—Relative to steam-boilers and tanks—report them back, and recommend passage of Senate Bill No. 140, and that the substitute do not pass.

Also, Assembly Bill No. 129—An Act for the relief of S. L. Marks, Terrence Burke, J. R. Deardorff, and Milo Hoadley—report it back, and recommend its passage.

Also, Senate Bill No. 447—Relative to conferring additional powers upon the Board of Supervisors—report it back, and recommend that it do not pass.

Also, Assembly Bill No. 193—Relative to street work on Montgomery Avenue—report it back, and recommend its passage.

Also, Senate Bill No. 472—An Act for the relief of James Munroe, S. L. Piper, Ede and Williams, and Brigham and Haws—report it back, and recommend that it do not pass.

Also, Senate Bill No. 425—Relative to paying salaries out of the Special Fee Fund—report it back, and recommend its passage.

E. NUNAN, Chairman.

Senate Bill No. 289, above reported, was withdrawn by Mr. Rogers, its author, by general consent.

ASSEMBLY MESSAGES.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, March 6th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, concurred in Senate amendments numbers one, two, four, five, six, ten, eleven, twelve, thirteen, and fourteen, to Assembly Bill No. 436—An Act to provide for a Convention to frame a new Constitution for the State of California—and refused to concur in amendments numbers three, seven, eight, nine, and fifteen to said bill.

Also, refused to concur in Senate Concurrent Resolution No. 39.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 6th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 490—An Act to ratify the contract between the Stockton Gas Company and the City of Stockton, to supply gas to said city and its inhabitants, approved by the Acting Mayor of said city on December eighteenth, eighteen hundred and seventy-seven.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 7th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the sixth day of March, A. D. eighteen hundred and seventy-eight, passed Senate Bill No. 392—An Act to amend an Act entitled an Act concerning streams in the County of Santa Clara, approved March twenty-eighth, eighteen hundred and seventy-two.

Also, Senate Bill No. 202—An Act for the relief of Edward C. Kirby and John Burke.

Also, Senate Bill No. 463—An Act making an appropriation for deficiencies in the expenses of the State Prison.

Also, amended and passed Senate Bill No. 217—An Act to amend the Political Code, respecting the health and quarantine regulations of the City and County of San Francisco.

Also, Senate Bill No. 163—An Act concerning roads and highways in the County of San Benito.

Also, Senate Bill No. 58—An Act to fix the fees of Justices of the Peace for the Counties of Contra Costa, Lassen, and Butte.

Also, on the fourth, passed Assembly Bill No. 300—An Act to promote the sanitary conditions of towns and villages.

Also, Assembly Bill No. 230—An Act to amend certain sections of the Political Code, relative to the salary of officers and employes of the Senate and Assembly.

Also, Assembly Joint Resolution No. 62—Asking increased mail facilities in San Luis Obispo County.

Also, concurred in Senate amendments to Assembly Bills Nos. 234 and 495.

Also, on the sixth, passed substitute for Senate Bill No. 353—An Act for the encouragement of agriculture and other industries.

And, on this day, passed Senate Joint Resolution No. 34—Relative to vine culture.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 230, above reported.

Read first and second times, and referred to the Committee on Finance.

Assembly Bill No. 300, above reported.

Read first and second times, and referred to the Committee on Hospitals.

Assembly Joint Resolution No. 62, above reported.

Read first and second times, and referred to the Committee on Federal Relations.

Senate Bills Nos. 58 and 163, above reported.

Assembly amendment, to each bill, concurred in.

Senate Bill No. 217, above reported.

Assembly amendments to the bill concurred in, except as follows:

Amend section three by striking out the words "The Clerk of the Mayor of the City and County of San Francisco shall not receive any compensation as Clerk of the Board of Health," at end of section.

On concurring in this amendment to the bill, the ayes and noes were demanded by Messrs. McCoppin, Craig, and Norton, and the Senate refused to concur by a vote, as follows:

AYES—Messrs. Brown of Amador, Coleman, Craig, Crane, Donovan, Evans, Goodwin, Lewis, Murphy of Santa Clara, and Pierson—10.

NOES—Messrs. Banes, Boyston, Brown of El Dorado, Dean, Gwin, Haymond, Howe, McCoppin, Montgomery, Murphy of San Francisco, Norton, Nunan, Rogers, Satterwhite, Shirley, and Whitney—16.

On motion of Mr. McCoppin, Senate Bill No. 463, above reported, was ordered enrolled out of its order.

Assembly Bill No. 436, above reported.

The Senate voted to adhere to its amendments to the bill, and a committee of free conference was ordered on the disagreeing vote between the two Houses.

On motion of Mr. Haymond, the special order set for twelve o'clock m., being substitute for Senate Bill No. 13, and Senate Bill No. 462, was postponed until one o'clock and thirty minutes p. m., to-morrow.

Mr. Dean (by leave) offered a resolution, as follows:

Resolved, That the usual number of copies of substitute for Senate Bill No. 297, reported by the San Francisco delegation, be printed.

Adopted.

SPECIAL ORDER

Set for eleven o'clock and thirty minutes a. m. was now taken up.

GOVERNOR'S MESSAGE

Returning, without his approval, substitute for Senate Bills Nos. 416 and 417—An Act for the relief of sufferers by the late storm and floods.

(For message, see Journal of March sixth.)

Upon the question, "Shall the bill become a law, notwithstanding the objections of the Governor?" the roll was called, resulting as follows:

AYES—Messrs. Bones, Boyston, Brown of Amador, Brown of El Dorado, Craig, Crane, Dean, Evans, Fowler, Goodwin, Haymond, Lambert, McCarthy, McFarvey, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, and Norton—18.

NOES—Messrs. Coleman, Gwin, Hilborn, Hill, Howe, Lewis, McCoppin, Montgomery, Pier-son, Satterwhite, Shirley, Smith, and Whitney—13.

The Senate refused to so pass the bill—two-thirds failing to vote in the affirmative.

Mr. McCarthy introduced a resolution, as follows:

Resolved, That hereafter no speeches shall be made of over five minutes in length, unless there shall be an audience of at least twenty-five persons in the lobby and galleries.

Adopted.

By Mr. Craig:

Resolved, That the Committee on Mileage be and they are hereby requested to examine, and report to the Senate, the amount due each member and Clerk of the Building Committee for mileage.

Adopted.

ASSEMBLY MESSAGE.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, March 7th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, adopted Assembly Concurrent Resolution No. 63—Requesting the Governor to return Assembly Bill No. 41.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Concurrent Resolution No. 63, above reported, concurred in.

REPORTS.

By Mr. Craig:

SENATE CHAMBER.

SACRAMENTO, March 7th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Joint Resolution No. 26—Memorializing Congress to abolish the duty on grain bags and the materials of which they are made.

Also, Senate Bill No. 387—An Act to amend an Act entitled an Act in relation to county officers of Santa Cruz County, their fees and salaries, approved March thirtieth, eighteen hundred and seventy-six.

Also, Senate Bill No. 407—An Act to amend the Code of Civil Procedure.

Also, Senate Bill No. 135—An Act to add two new sections to the Civil Code, to be numbered sections two hundred and thirty-one and two hundred and thirty-two.

Also, Senate Bill No. 373—An Act to add a new section to the Civil Code.

Also, Senate Bill No. 205—An Act granting relief to taxpayers whose lands have been sold to the State.

Also, Senate Bill No. 434—An Act for the relief of Klamath School District, Siskiyou County, California.

Also, Senate Bill No. 444—An Act to quiet title to town lots in the City of Visalia.

Also, Senate Bill No. 376—An Act for the relief of J. F. Dillon, Assessor of Inyo County.

Also, Senate Joint Resolution No. 42—Relating to the office of United States Surveyor-General for California.

Also, Senate Bill No. 414—An Act to amend the Penal Code.

Also, Senate Bill No. 408—An Act to amend the Penal Code, in relation to fugitives from justice.

Also, Senate Bill No. 464—An Act to authorize the Board of Supervisors of the City and County of San Francisco to order Bay Street graded, and to change its grade.

Also, Senate Bill No. 264—An Act to authorize the Trustees of the Snelling School District, of Merced County, to pay the debt of said district.

Also, Senate Bill No. 384—An Act for the relief of John Q. Hendricks, Charles Carroll, and R. D. Hubbard.

Also, Senate Bill No. 402—An Act to amend an Act entitled an Act regulating the sale of mineral lands belonging to the State.

Also, Senate Bill No. 364—An Act to provide compensation for the Township Assessor of the Township of Oakland, Alameda County.

Also, Senate Bill No. 468—An Act to amend section fifty-nine of the Code of Civil Procedure.

Also, Senate Bill No. 397—An Act to add another section to the Code of Civil Procedure, to be known as section four hundred and seventeen.

Also, Senate Bill No. 164—An Act in relation to warehouse and wharfinger receipts, and other matters pertaining thereto.

Also, Senate Bill No. 303—An Act to add a section to Title Twelve, of Part Four, of the First Division of the Civil Code.

Also, substitute for Senate Bill No. 176—An Act supplemental to and amendatory of an Act entitled an Act to regulate the practice of medicine in the State of California, approved April third, eighteen hundred and seventy-six.

Also, substitute for Senate Bill No. 186—An Act in relation to the office of Sheriff of the City and County of San Francisco.

Also, Senate Bill No. 291—An Act to amend an Act entitled an Act to amend an Act entitled an Act to incorporate the Town of Watserville, Santa Cruz County, California, approved March thirtieth, eighteen hundred and sixty-eight.

Also, Senate Bill No. 305—An Act to authorize certain appropriations of money by the Board of Supervisors of the City and County of San Francisco.

Also, Senate Bill No. 361—An Act to authorize the issue of bonds for the payment of damages for the widening and extension of Los Angeles Street, in the City of Los Angeles.

Also, substitute for Senate Bill No. 40—An Act to amend and re-enact an Act entitled an Act to protect and encourage the production and sale of pure and wholesome milk, and to prohibit and punish the production of unwholesome or adulterated milk, approved March twelfth, eighteen hundred and seventy.

CRAIG, for the Committee.

By Mr. Murphy of Santa Clara:

SENATE CHAMBER.

SACRAMENTO, March 7th, 1878. }

MR. PRESIDENT: Your Committee have examined, and find correctly engrossed, Senate Bill No. 463—An Act making an appropriation for deficiency in the expenses of the State Prison.

B. D. MURPHY, for the Committee.

By Mr. Norton:

MR. PRESIDENT: The delegation, to whom was referred Assembly Bill No. 528—An Act to consolidate a portion of Magnolia School District, Nevada County, into Lone Star School Dis-

MR. PRESIDENT: The Judiciary Committee, to whom was referred Senate Bill No. 442—An Act to amend section one thousand one hundred and sixty-one of the Code of Civil Procedure of the State of California—have had the same under consideration, and report it back, with the recommendation that it do pass.

Also, Senate Bill No. 467—An Act to amend section seven hundred and ninety-eight of the Political Code, in relation to fees of Notaries Public—report the same back with amendments, and recommend its passage as amended.

Also, Senate Bill No. 473—An Act to amend section four hundred and seventy-three of the Civil Code—report the same back, and recommend its passage.

Also, Senate Bill No. 419—An Act amendatory of section one thousand four hundred and ninety-four of the Code of Civil Procedure of the State of California—and report it back without recommendation.

McGARVEY, Chairman.

By Mr. Rogers:

MR. PRESIDENT: Your Committee on Contingent Expenses have had under consideration Senate Resolution No. 132—Providing for the payment of postage stamps, etc.—and report the same back, and recommend its passage.

Also, Senate Resolution No. 133—To pay the claim of H. Clock, for the sum of twelve dollars, for three days' services at the commencement of the session, and recommend its passage.

Also, Assembly Concurrent Resolution No. 60—Relative to publishing statutes—report the same back, and recommend its passage.

Also, Assembly Concurrent Resolution No. 51—Relative to paying for translating the Governor's message into Spanish—and report the same back, and recommend its passage.

GEO. H. ROGERS, Chairman.

The resolutions, above reported, were taken up, as follows:

Resolved, That H. Clock be allowed the sum of twelve dollars, payable out of the Contingent Fund of the Senate, for three days' services as Porter.

Adopted:

Resolved, That William H. Bell, Sergeant-at-Arms of the Senate, be and he is hereby allowed the sum of two hundred and seventy-eight dollars and fifty cents for postage stamps furnished, and expenses incurred in mailing copies of the report of the Senate Committee on Chinese Immigration, in accordance with the instructions of the Senate, given by resolution, passed January twenty-second, eighteen hundred and seventy-eight, to be paid out of the appropriation for the contingent expenses of the Senate. The State Controller is hereby directed to draw his warrant on the State Treasurer for said amount, in favor of said Bell, and the Treasurer is directed to pay the same.

Adopted.

Assembly Concurrent Resolution No. 60, above reported.

Concurred in.

Assembly Concurrent Resolution No. 51, above reported.

Concurred in.

Mr. Shirley, for the delegation, verbally reported, recommending its passage, Assembly Bill No. 355—An Act to amend section one hundred and fifty-seven of the Political Code, relative to legal distances in this State.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

By Mr. Nunan:

MR. PRESIDENT: The San Francisco delegation, to whom was referred Senate Bill No. 350—An Act to provide for ascertaining and paying certain claims against the City and County of San Francisco—have had the same under consideration, report it back, and a majority recommend that it do not pass.

E. NUNAN, Chairman.

ASSEMBLY MESSAGE.

The following message was received from the Assembly:

ASSEMBLY CHAMBER.

SACRAMENTO, March 8th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Speaker, on this day, appointed as committee of conference, on Assembly Bill No. 386, Messrs. Johnson, Coffee, and Swift.

And appointed, as a committee of free conference, on Assembly Bill No. 436, Messrs. Waters, McComas, and Haile.

Also, concurred in Senate amendments to Assembly Bill No. 380.

Also, receded from its amendments to Senate Bill No. 217—An Act to amend the Political Code, respecting the health and quarantine regulations of the City and County of San Francisco.

E. L. CRAWFORD, Assistant Clerk.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows :

By Mr. Hilborn, for the Committee on Fisheries and Game: Senate Bill No. 503—An Act to amend Chapter One, Title Fifteen, of the Penal Code, relating to violations of the laws for the preservation of fish and game.

Read first and second times, and ordered printed out of order, and made a special order for Tuesday next, at twelve o'clock.

Also, Senate Bill No. 504—An Act to repeal an Act entitled an Act for the protection of game in Nevada County.

Read first and second times, and ordered on the general file.

Also, Senate Bill No. 505—An Act to prevent the destruction of deer on Monte Diablo, in Contra Costa County.

Also, Senate Bill No. 506—An Act to prohibit the destruction of fish in San Leandro Creek, in Alameda County.

Each of the above bills read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

By Mr. Hilborn: Senate Bill No. 507—An Act to amend an Act entitled an Act to re-incorporate the City of Vallejo, approved March twenty-seventh, eighteen hundred and seventy-two, and supplemental thereto.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed, and ordered transmitted to the Assembly forthwith without engrossment.

By Mr. Beazell: Senate Bill No. 508—An Act to enable the City of Oakland to acquire and maintain water-works.

Read first and second times, and referred to the Alameda County delegation, and ordered printed out of order.

Also, Senate Bill No. 509—An Act to amend an Act entitled an Act to authorize the City of Oakland to construct a main sewer.

Also, Senate Bill No. 510—An Act to provide for the opening of streets in the City of Oakland.

Each of the above bills read first and second times, and referred to the Alameda delegation.

By Mr. Brown of El Dorado: Senate Bill No. 511—An Act to provide for transcribing the Great Register of El Dorado County.

Read first and second times, and referred to the delegation named in the bill.

By Mr. Haymond: Senate Bill No. 512—An Act to promote the interests of agriculture.

Read first and second times, and referred to the Committee on Agriculture.

By Mr. Lewis: Senate Bill No. 513—An Act to refund to Tehama County the State's portion of taxes unlawfully collected.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Lambert: Senate Bill No. 514—An Act to authorize the Trustees of the Rural Health Retreat Association to treat diseases by the hygienic system.

Read first and second times, and referred to the Committee on Hospitals.

By Mr. Fowler: Senate Bill No. 515—An Act to amend sections three thousand four hundred and fifty-two, three thousand four hundred and fifty-three, three thousand four hundred and fifty-four, three thousand four hundred and fifty-five, three thousand four hundred and fifty-six, three thousand four hundred and fifty-nine, three thousand four hundred and sixty-one, three thousand four hundred and sixty-two, three thousand four hundred and sixty-six, three thousand four hundred and seventy-one, and three thousand four hundred and eighty-one of the Political Code.

Read first and second times, and referred to the Committee on Public Lands.

By Mr. Lambert: Senate Bill No. 516—An Act to amend an Act entitled an Act concerning county officers in Yolo County, and to regulate the fees and salaries thereof, approved March eighteenth, eighteen hundred and seventy-four.

Read first and second times, and referred to the Yolo County delegation.

The President appointed the committee of free conference, ordered on yesterday on the disagreeing vote between the two Houses, on Assembly Bill No. 436, on the part of the Senate, Messrs. Lewis, Ream, and Hilborn.

On motion of Mr. Craig, the rules were suspended, and Senate Bill No. 437 taken from the general file and made a special order for Wednesday next, at twelve o'clock M.

MOTIONS AND RESOLUTIONS.

On motion of Mr. Smith, Senate Joint Resolution No. 34 was ordered enrolled out of its order.

Mr. Haymond moved that the special order be postponed, and that the Senate proceed to consider all bills upon the general file, to which no objections are made, and that such bill be passed on file.

Carried.

Mr. Craig submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, March 8th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Joint Resolution No. 34—Relative to vine culture.

J. CRAIG, for the Committee.

GENERAL FILE.

Senate Bill No. 430—An Act to create a bureau of labor and statistics of labor in the State of California.

The question being on the suspension of the rules, to consider the bill engrossed, and place it on its final passage, the ayes and noes were demanded by the requisite number, and the Senate refused by a vote, as follows—a two-thirds vote being required:

AYES—Messrs. Beazell, Bones, Boring, Craig, Dean, Evans, Haymond, Lambert, Lewis, McGarvey, Murphy of San Francisco, Murphy of San Luis Obispo, Nunan, Rogers, and Smith—15.

NOES—Messrs. Boyston, Brown of Amador, Coleman, Fowler, Gwin, Hilborn, Hill, Howe, Montgomery, Murphy of Santa Clara, Satterwhite, and Shirley—12.

The question recurring on the engrossment of the bill, the ayes and noes were demanded by the requisite number, and the Senate refused to engross the bill by a vote, as follows:

AYES—Messrs. Bones, Boring, Dean, Donovan, Evans, Haymond, Lambert, Lewis, Murphy of San Francisco, Murphy of San Luis Obispo, Norton, Nunan, Pierson, and Smith—14.

NOES—Messrs. Boyston, Brown of Amador, Brown of El Dorado, Coleman, Fowler, Goodwin, Gwin, Hilborn, Hill, Howe, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of Santa Clara, Rogers, Satterwhite, and Shirley—18.

Mr. Rogers gave notice that on to-morrow he would move to reconsider the vote by which the Senate refused to engross the bill.

Senate Bill No. 397—An Act to add another section to the Code of Civil Procedure, to be known as section four hundred and seventeen.

Read third time, and passed.

Substitute for Senate Bill No. 8—An Act for the relief of Otto Kloppenberg.

Substitute adopted.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 383—An Act to prevent the destruction of fish in Kings River.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Bill No. 83—An Act to prohibit piece clubs, and to prevent extortion from candidates for office.

Read third time, and passed.

Assembly Bill No. 354—An Act for the relief of Joseph O'Neil.

Read third time, and passed.

Senate Bill No. 451—An Act declaring the Sacramento River navigable from and to certain parts therein named.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 452—An Act to ratify and confirm certain proceedings of the Board of Supervisors of the County of Tehama, in and about the construction of a bridge across the Sacramento River.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 454—An Act to establish a Board of Health for the County of Tulare.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 456—An Act to authorize the City of San José to issue bonds to provide sewerage for said city.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Bill No. 258—An Act to authorize the construction and maintenance of a bridge across the Sacramento River, at the Town of Colusa.

Read third time, and passed.

Assembly Bill No. 398—An Act amendatory of an Act entitled an Act to protect agriculture, and to prevent trespassing of animals

upon private property, in the County of San Diego, approved March twenty-fourth, eighteen hundred and seventy-six.

Read third time, and passed.

Senate Bill No. 338—An Act to establish and open Montgomery Street South, in the City and County of San Francisco, and to take private lands therefor.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 211—An Act for the relief of the Oakland Guard, of Oakland City.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 435—An Act to amend section two hundred and fifty-five of the Civil Code, relating to chattel mortgages.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bills Nos. 439, 441, and 443—Re-referred to the Judiciary Committee.

Substitute for Senate Bills Nos. 46, and 155.

Senate Bills Nos. 214, 351, 486, 154, and substitute for Senate Bills Nos. 153, 156, and 295, and for section four hundred and fifty-three, in section three, of Senate Bill No. 155.

Each passed on file.

Senate Bill No. 457—An Act to amend an Act to establish a Board of Commissioners for the former Pueblo or City of Sonoma, and other matters relating thereto, to define the powers and duties of said Commissioners, approved March thirtieth, eighteen hundred and sixty-eight.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Bill No. 205—An Act to incorporate the Town of Anaheim.

Read third time, and passed.

Assembly Bill No. 80—An Act to amend section eight hundred and eighty-two of the Penal Code.

Read third time, and passed.

Assembly Bill No. 403—An Act to amend an Act entitled an Act to incorporate the Town of Colusa, approved April first, eighteen hundred and seventy-six.

Read third time, and passed.

Assembly Bill No. 399—An Act to amend section three thousand seven hundred and forty-seven of the Political Code, in relation to the collection of taxes in the County of Los Angeles.

Read third time, and passed.

Assembly Bill No. 396—An Act authorizing the Board of Trustees of Zumwalt School District, in the County of Colusa, to borrow money for certain purposes, and to provide for the payment of the same.

Read third time, and passed.

Assembly Bill No. 384.

Referred to the Judiciary Committee.

Assembly Bill No. 314.

Referred to the Los Angeles delegation.

Senate Bills Nos. 399, 307, and 177.

Each passed on file.

Assembly Bill No. 181—An Act to provide for the substitution of bonds of the City of San Luis Obispo, in lieu of bonds of the Town of San Luis Obispo.

Read third time, and passed.

Assembly Bill No. 440—An Act to amend an Act entitled an Act to fix the salaries and compensation of certain officers of Butte County, approved March twenty-seventh, eighteen hundred and seventy-four.

Read third time, and passed.

Assembly Bill No. 444—An Act to provide a fund for the payment of certain indebtedness of Humboldt County.

Read third time, and passed.

Assembly Bill No. 448—An Act for the relief of Thomas Malloy, Road Overseer of Brooklyn Road District, Alameda County.

Read third time, and passed.

Assembly Bill No. 449—An Act to regulate the salary of the Road Overseer of Brooklyn Road District, Alameda County.

Read third time, and passed.

Assembly Bill No. 489—An Act to amend an Act entitled an Act to fix the salary and bonds of the Treasurers of Fresno and Kern Counties, approved March third, eighteen hundred and seventy-four.

Read third time, and passed.

Assembly Bills Nos. 492 and 417.

Passed on file.

Senate Bill No. 480—An Act to regulate the traveling fees of the Sheriffs of the Counties of Kern and Tulare, and to repeal certain Acts therein mentioned.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Bill No. 201—An Act to amend section two thousand eight hundred and seventy-two of the Political Code.

Read third time, and passed.

Assembly Bill No. 402—An Act for the relief of W. J. Johnson and others.

Amendment concurred in.

Read third time, and passed.

Assembly Bill No. 446—An Act in relation to Swamp Land District Number Three Hundred and Seven, and legalizing certain proceedings therein.

Amended.

Read third time, and passed.

Assembly Bill No. 450—An Act relative to the appropriation of moneys, by the Common Council of the City of Oakland, to certain benevolent societies, out of the public funds of said city.

Read third time, and passed.

Assembly Bill No. 487—An Act in relation to the collection of licenses in Alameda County.

Read third time, and passed.

Senate Bill No. 455—An Act creating the Twenty-third Judicial District, and defining the Third and Twelfth Districts.

On motion of Mr. Evans, made a special order for to-morrow, at one o'clock P. M.

Senate Bill No. 478—An Act to provide funds for the school department of the Town of Alameda.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 412—An Act concerning the macadamizing, etc., of Tyler Street, from Market Street, and to prohibit the laying down of railroad track thereon.

Rules suspended, considered engrossed, read third time, and passed.

Substitute for Senate Bill No. 148, Assembly Bill No. 318, Senate Bill No. 38, Senate Bill and substitute for Senate Bill No. 140.

Each passed on file.

Senate Bill No. 23 was ordered printed with amendments, and out of order.

Assembly Bill No. 68—An Act to authorize the Board of Supervisors of Mono County, State of California, to issue bonds for the construction of a wagon road from Antelope Valley to the Town of Benton, in said county.

Read third time, and passed.

Assembly Bill No. 129—An Act for the relief of S. S. Marks and others.

Read third time, and passed.

Senate Bill No. 191—An Act to amend the Political Code, respecting the health and quarantine regulations for the City and County of San Francisco.

Withdrawn by Mr. McCarthy, the author of the bill, by general consent.

Assembly Bill No. 193—An Act to ratify and confirm certain orders and resolutions of the Board of Supervisors of the City and County of San Francisco, relative to street work on Montgomery Avenue.

Read third time, and passed.

Assembly Bill No. 462—An Act amendatory of and supplementary to an Act entitled an Act appointing and empowering Charles F. Irwin, a trustee, to execute certain trusts, directing the manner of executing the same, and the use of the fund arising therefrom.

Read third time, and passed.

Senate Bill No. 271—An Act conferring additional powers upon the Board of Supervisors, and the Auditor and Treasurer of the City and County of San Francisco.

Rules suspended, considered engrossed, read third time, and passed.

Mr. McCoppin gave notice that he would, on to-morrow, move to reconsider the vote by which the bill passed.

Senate Bills Nos. 631, 203, 357, 472, 410, and 425, were each passed on file.

Senate Bill No. 302—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco.

Withdrawn by Mr. McCoppin, the author of the bill, by general consent.

Senate Bill No. 347—An Act amending section four of an Act entitled an Act repealing Article Four of an Act entitled an Act to repeal the several charters of the City and County of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved April nineteenth, eighteen hundred and fifty-five, and all Acts and parts of Acts, etc., and

Senate Bill No. 447—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco.

Withdrawn by Mr. Nunan, the author of the bills, and by general consent.

Assembly Bill No. 484—An Act to authorize the formation of a new school district, out of portions of other school districts, in Lake County.

Read third time, and passed.

Assembly Bill No. 502—An Act to amend an Act entitled an Act to fix the compensation of the Assessor of Inyo County, approved February twenty-fifth, eighteen hundred and seventy-six.

Read third time, and passed.

Assembly Bill No. 503—An Act to amend an Act to regulate the traveling fees of the Sheriffs of the Counties of Inyo and Alpine, and of the Constables within said counties.

Read third time, and passed.

Assembly Bill No. 509—An Act to amend an Act entitled an Act concerning county officers of Lake County, and to regulate the fees and salaries thereof.

Read third time, and passed.

Assembly Bill No. 531—An Act authorizing the Board of Supervisors of the County of Stanislaus to provide means for the payment of certain indebtedness of said county.

Read third time, and passed.

Assembly Bill No. 559—An Act to provide for the payment of interest upon certain warrants of Butte County.

Read third time, and passed.

Assembly Bill No. 560—An Act to authorize Dockery School District to issue bonds for building purposes.

Read third time, and passed.

Assembly Bill No. 528—An Act to consolidate a portion of Magnolia School District, Nevada County, into Lone Star School District, in the County of Placer.

Indefinitely postponed.

Mr. Evans offered an amendment to Senate Standing Rule Number Thirty-three, as follows:

That Senate Standing Rule Number Thirty-three is hereby amended, so as to read as follows:

RULE THIRTY-THREE.

When any member is absent without the bar of the Senate when the last name on the roll of the Senate is called, on the call of the ayes and noes on any vote being taken, his vote shall not be received, unless agreed to unanimously by the members present; nor shall a member be counted on a division of a vote, who is absent without the bar of the Senate without leave.

Laid over for one day.

[Mr. Howe in the chair.]

Mr. Bones submitted a report, as follows:

MR. PRESIDENT: The Alameda delegation, to whom was referred Senate Bill No. 510—An Act to provide for the opening of streets in the City of Oakland—report the same back, and recommend its passage.

BEAZELL,
J. W. BONES.

Rules suspended, and the bill taken up for consideration.

Considered engrossed, read third time, and passed.

Mr. Bones, for the delegation, verbally reported, recommending its passage. Senate Bill No. 509—An Act to amend an Act entitled an Act to authorize the City of Oakland to construct a main sewer.

Rules suspended, and the bill taken up for consideration.

Considered engrossed, read third time, and passed.

Special order for twelve o'clock M., was now taken up.

Substitute for Senate Bill No. 297—An Act to amend sections three

and five of an Act to authorize the City and County of San Francisco to provide and maintain public water-works for said city and county, and to condemn and purchase private property for that purpose, approved March twenty-seventh, eighteen hundred and seventy-six.

Mr. Satterwhite moved to make the bill a special order for Monday next, at twelve o'clock m.

Lost.

Substitute adopted.

Amendments concurred in.

Mr. Nunan offered amendments, as follows: Amend section fourteen. Strike out "upon," on the first line, and insert "previous to." Also, insert after the word "Act," on the sixth line, "and when the cost price is so ascertained, the whole matter shall be subject to approval by the qualified voters of said city and county, as hereinbefore provided. Should the people, at such election, decide to agree to the price to be paid, then the said Court shall enter final judgment against the property so condemned, when, upon such final judgment being entered." Also, strike out after the word "Act," on the sixth line, the words "and allowed by said Court."

On adopting the amendments, the ayes and noes were demanded by Messrs. Dean, Nunan, and Craig, and the Senate refused to adopt them by a vote, as follows:

AYES—Messrs. Bones, Boring, Dean, Howe, McCoppin, and Nunan—6.

NOES—Messrs. Bezzell, Boyston, Brown of Amador, Coleman, Craig, Evans, Fowler, Haymond, McCarthy, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Pierson, Rogers, Satterwhite, and Shirley—18.

Mr. Nunan moved a call of the Senate.

Lost.

Mr. Rogers moved a suspension of the rules, to consider the bill engrossed, to place it on its final passage.

On which the ayes and noes were demanded by Messrs. Nunan, Fowler, and Craig, and the motion prevailed by a vote, as follows:

AYES—Messrs. Bezzell, Bones, Boring, Boyston, Brown of Amador, Coleman, Craig, Evans, Fowler, Gwin, Haymond, Hilborn, McCarthy, McCoppin, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Norton, Pierson, Rogers, and Shirley—22.

NOES—Messrs. Dean, Donovan, Hill, Howe, Lambert, and Nunan—6.

Read third time, and passed.

On motion of Mr. Rogers, the bill was ordered to the Assembly without engrossment.

Mr. McCarthy submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, March 7th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 463—An Act to make an appropriation for deficiency in the expenses of the State Prison.

And, this day, at two o'clock and fifteen minutes p. m., presented the same to the Governor.

McCARTHY, Chairman.

Mr. Pierson offered a resolution, as follows:

Resolved, That the Engrossing Clerk is hereby granted authority to engross Senate Resolution No. —, in relation to vine culture, out of order.

Adopted.

On motion of Mr. Haymond, the special orders not taken up to-day were continued as special orders for to-morrow, at one o'clock and thirty minutes P. M.

ADJOURNMENT.

At three o'clock and forty-five minutes P. M., on motion of Mr. Evans, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
SATURDAY, March 9th, 1878. }

The Senate met pursuant to adjournment.

President pro tem. in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Dean, Donovan, Evans, Fowler, Goodwin, Gwin, Hilborn, Hill, Howe, Lambert, Lewis, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Norton, Nunan, Pierson, Rogers, Satterwhite, and Smith.

Quorum present.

The Journal of yesterday not read, and approved, on motion of Mr. Lambert.

Mr. Shirley was granted two days' leave of absence, and Mr. Beazell for one day.

PETITIONS.

The President pro tem. presented to the Senate a communication from Joseph H. Swain, organizer of the Anti-Monopoly Association of San Francisco, with accompanying resolutions, passed by said Association.

Received, and referred to the Joint Committee on Chinese Immigration.

By Mr. Gwin—From residents of Calaveras County, remonstrating against the repeal, alteration, or change of the fence law as it now exists.

Received, and laid on the table.

[Mr. Murphy of San Francisco in the chair.]

REPORTS.

Reports were submitted, as follows:

By Mr. Lambert:

MR. PRESIDENT: Your Committee on Federal Relations have had under consideration Senate Joint Resolution No. 44—Relating to swamp and overflowed lands.

Also, Assembly Joint Resolution No. 43—Relative to the import duty on mohair.

Also, Assembly Joint Resolution No. 50—Relative to a mail route in Butte County.

Also, Assembly Joint Resolution No. 3—Relative to granting public lands to corporations.

Also, Assembly Joint Resolution No. 46—Relative to a change in the import duties on wool.

Also, Assembly Joint Resolution No. 55—Relative to a mail route in Fresno and Tulare Counties.

Also, Assembly Joint Resolution No. 32—Relative to Indians in southern counties of the State of California.

Also, Assembly Joint Resolution No. 44—Relative to the recognition of the Diaz Government of Mexico.

Also, Assembly Joint Resolution No. 62—Asking increased mail facilities in San Luis Obispo County.

And herewith report the same back, and recommend their passage.

LAMBERT, Chairman.

By Mr. Howe:

MR. PRESIDENT: The San Francisco delegation, to whom was referred Senate Bill No. 501—An Act to confer further powers upon the New City Hall Commissioners for the City and County of San Francisco—have had the same under consideration, report it back, and recommend its passage.

Also, Senate Bill No. 492—Relative to the opening of Valencia Street, in the City and County of San Francisco—report the same back, and recommend its passage.

HOWE, for the Delegation.

Subsequently, on motion of Mr. Craig, the rules were suspended, and the bills, above reported, taken up for consideration.

Senate Bill No. 501.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 492.

Rules suspended, considered engrossed, read third time, and passed.

Also, by Mr. Howe:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 489—An Act to amend certain sections of the Political Code, and to enact and add certain sections thereto, relating to pilots and pilot regulations—have had the same under consideration, report it back, and recommend its passage.

HOWE, Chairman.

By Mr. Bones:

MR. PRESIDENT: The Alameda delegation, to whom was referred Senate Bill No. 313—have had the same under consideration, report it back, with the recommendation that it pass.

Also, Senate Bill No. 237—having passed the Assembly with certain amendments, recommend that the Senate concur in the amendments to said bill.

J. W. BONES.

Subsequently, on motion of Mr. Bones, Senate Bill No. 237, above reported, was re-referred to the Alameda delegation.

Mr. Lambert, for the delegation, verbally reported, recommending its passage, Senate Bill No. 516—An Act to amend an Act entitled an Act concerning county officers in Yolo County, and to regulate the fees and salaries thereof, approved March eighteenth, eighteen hundred and seventy-four.

Rules suspended, and the bill taken up for consideration.

Considered engrossed, read third time, and passed.

By Mr. Gwin:

MR. PRESIDENT: The Committee on Finance and Claims, to whom was referred Senate Bill No. 460—An Act for the improvement and preservation of the Yosemite Valley, and the Mariposa Big Tree Grove—have had the same under consideration, and report the bill back, with a recommendation that it pass.

GWIN, on behalf of Committee.

On motion of Mr. Gwin, the rules were suspended, and the bill, above reported, taken up for consideration.

Considered engrossed, read third time, and passed.

Ordered to the Assembly without engrossment.

By Mr. Montgomery:

MR. PRESIDENT: The committee, to whom was referred Senate Bill No. 477—have had the same under consideration, and report the same back, and recommend that it do not pass.

MONTGOMERY, for Delegation.

By Mr. McGarvey:

MR. PRESIDENT: The Judiciary Committee, to whom was referred Senate Bill No. 415—An Act relative to the Attorney General and District Attorneys—have had the same under consideration, and report it back, recommending its passage.

Also, Senate Bill No. 292—An Act to amend section three hundred and twenty-five of the Code of Civil Procedure—report the same back, and recommend its passage.

Also, Senate Bill No. 441—An Act to amend section three thousand four hundred and sixty-nine of the Civil Code of the State of California—report the same back, and recommend its passage.

Also, Senate Bill No. 443—An Act to amend section eight hundred and twenty-one of the Civil Code of the State of California—report the same back, without recommendation.

McGARVEY, Chairman.

Mr. Lewis, for the delegation, verbally reported, with amendments, recommending its passage as amended, Senate Bill No. 352—An Act amendatory of and supplementary to an Act entitled an Act to authorize the County Judge of Tehama County to distribute town lots, held by him in trust for the citizens of the Town of Red Bluff, and to issue certificates of title to the inhabitants of said town, in accordance with their respective interests, approved March sixth, eighteen hundred and seventy-eight.

Rules suspended, and the bill taken up for consideration.

Amendments adopted.

Considered engrossed, read third time, and passed.

The rules were further suspended, and the bill ordered engrossed out of its order.

GOVERNOR'S MESSAGE.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
SACRAMENTO, March 8th, 1878. }

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bills No. 185—An Act for the relief of George C. Knox.

No. 265—An Act to amend sections one and three of an Act entitled an Act to authorize the Assessor of the City and County of San Francisco to appoint deputies, approved January twenty-fifth, eighteen hundred and seventy.

No. 357—An Act to ratify and confirm the acts of the Mayor and Common Council of the City of San José.

No. 490—An Act to ratify the contract between the Stockton Gas Company and the City of Stockton, to supply gas to said city and its inhabitants, approved by the Acting Mayor of said city on the eighteenth day of December, eighteen hundred and seventy-seven.

WILLIAM IRWIN, Governor.

ASSEMBLY MESSAGES.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER. }
SACRAMENTO, March 8th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 463—An Act to confer further powers on the Board of Directors of the California Institution for the Deaf, the Dumb, and the Blind.

Also, Senate Bill No. 474—An Act to provide for the election of an Assessor, a City Marshal, and a Treasurer, for the City of Benicia, and to prescribe their duties. Also, to grant further powers to the Trustees of said city.

Also, amended and passed Senate Bill No. 423—An Act relating to the Coroner of Santa Clara County.

Also, passed Assembly Bill No. 582—An Act to empower and direct the Supervisors of the City and County of San Francisco to build a draw-bridge over Channel Street, at the intersection of Sixth Street, and ordered the same transmitted without engrossment.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,)
SACRAMENTO, March 9th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, adopted the report of the committee of free conference on Assembly Bill No. 386—and the same is herewith presented for your action.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,)
SACRAMENTO, March 9th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the fifth day of March, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 266—An Act to amend an Act entitled an Act to re-incorporate the City of Petaluma, approved March twenty-seventh, eighteen hundred and sixty-eight, and supplementary thereto.

Also, passed Assembly Bill No. 414—An Act to authorize the City of Petaluma to provide and maintain public water-works for said city, and to purchase and condemn private property for that purpose.

Also, passed Assembly Bill No. 529—An Act to provide for the maintenance and construction of roads and highways in the County of Fresno.

Also, passed Assembly Bill No. 376—An Act to provide for the improvement of public roads in the County of Mono.

Also, passed Assembly Bill No. 408—An Act to amend an Act entitled an Act to incorporate the City of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three.

Also, passed Assembly Bill No. 508—An Act to provide free bridges in the County of Sacramento.

Also, passed Assembly Bill No. 389—An Act to incorporate the Town of Berkeley, in Alameda County.

Also, passed Assembly Bill No. 596—An Act to authorize the corporation of the City of Los Angeles to issue bonds for improving the water supply of said city, and provide for their payment.

Also, passed Assembly Bill No. 602—An Act to confer certain powers upon the Board of Auditors of El Dorado County.

Also, passed Assembly Bill No. 437—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco, and to establish the grade of Vallejo Street in said city and county.

Also, passed Assembly Bill No. 527—An Act to authorize the Board of Supervisors of San Diego County to transfer certain funds of said county.

Also, passed Assembly Bill No. 629—An Act to amend an Act entitled an Act concerning roads and highways in Lake County, approved March twenty-first, eighteen hundred and seventy-six.

Also, passed Assembly Bill No. 644—An Act to authorize the Board of Supervisors of Fresno County to build certain roads and bridges, and to issue bonds of said county for the construction, and to provide for the payment of the same.

Also, passed Assembly Bill No. 520—An Act to provide for the improvement and maintenance of the public roads in the County of El Dorado.

Also, passed Assembly Bill No. 579—An Act to provide for the location, construction, and maintenance of public roads in the County of Mendocino.

Also, passed Assembly Bill No. 614—An Act to amend an Act fixing the terms of the members of the Board of Supervisors of Monterey County, and other purposes, approved March third, eighteen hundred and seventy-six.

Also, passed Assembly Bill No. 637—An Act authorizing the Board of Supervisors of Alameda County to pay the claim of Edwin Kimball.

Also, passed Assembly Bill No. 242—An Act to legalize assessments in Swamp Land District Number Two Hundred and Twenty-one, and to provide for the collection of taxes.

Also, passed Assembly Bill No. 532—An Act for the relief of J. B. Scott.

Also, passed Assembly Bill No. 569—An Act to amend an Act entitled an Act to provide for the building of a school house in the Merced School District, in the County of Merced, State of California, approved February eighteenth, eighteen hundred and seventy-four.

Also, passed Assembly Bill No. 573—An Act to grant George E. Isaacs and his assigns the right to supply the inhabitants of the Town of Merced with fresh water.

Also, passed Assembly Bill No. 572—An Act in relation to certain officers in Plumas County, and fix the compensation thereof.

Also, passed Assembly Bill No. 590—An Act to provide for the payment of the debt incurred in building a school house for Tulare School District, in San Joaquin County.

Also, passed Assembly Bill No. 410—An Act to provide for the distribution of school moneys in certain counties.

Also, passed Assembly Bill No. 172—An Act to prevent conflagrations in the City and County of San Francisco, by limiting the height of wooden buildings and structures of wood therein.

Also, passed Assembly Bill No. 616—An Act to authorize and empower the Sheriff of Colusa County to appoint a Jailor.

Also, passed Assembly Bill No. 623—An Act to amend an Act entitled an Act to provide for establishing, maintaining, and providing public and private roads in Colusa County, approved March twenty-sixth, eighteen hundred and seventy-four.

Also, passed Assembly Bill No. 570—An Act to authorize the Auditor and Treasurer of Sutter County to cancel certain Controller's warrants.

Also, passed Assembly Joint Resolution No. 37—Relative to the relinquishment by the United States of the site of Camp Independence, in Inyo County.

And, on the eighth day of March, passed Assembly Bill No. 541—An Act to create the office of Commissioner of Transportation, and to define its powers and duties, to fix the maximum charges for transportation of passengers and freights on certain railroads in this State, and to prevent extortion and unjust discrimination thereon.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Senate Bill No. 423, above reported.

Assembly amendments concurred in.

Assembly Bills Nos. 582, 579, 389, 596, 602, 437, 629, 644, 520, 614, 637, 573, 569, 572, 590, 172, 616, 623, 570, 266, 414, 529, 376, 408, and 508.

Each read first and second times, and referred to the several delegations named in the bills.

Assembly Bill No. 541, above reported.

Read first and second times, and referred to the Committee on Corporations.

Assembly Bill No. 527, above reported.

Read first and second times, and ordered on the general file.

Assembly Bill No. 212, above reported.

Read first and second times, and referred to the Committee on Public Lands.

Assembly Bill No. 532, above reported.

Read first and second times, and referred to the Committee on Claims.

Assembly Bill No. 410, above reported.

Read first and second times, and referred to the Committee on Education.

Assembly Joint Resolution No. 37, above reported.

Read first and second times.

Rules suspended, read third time, and passed.

Assembly Bill No. 386, above reported.

Accompanied with a report, as follows :

To the Senate and Assembly of the State of California :

Your Joint Committee of Free Conference on Assembly Bill No. 386—report the same back, and recommend concurrence in Senate amendment to section one, as amended by this committee.

Also, that Senate amendment to section two be concurred in.

Also, that Senate amendment, adding a new section, be concurred in.

R. McGARVEY,	} Committee of Senate.
HAYMOND,	
PIERSON,	
JOHNSON,	} Committee of Assembly.
COFFEY,	
SWIFT,	

The report was adopted, and the amendments concurred in.

[President pro tem. in the chair.]

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows:

By Mr. Murphy of Santa Clara: Senate Bill No. 517—An Act to provide for the opening of new streets, and for the extending and widening of existing streets in the City of San José.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed, and ordered transmitted to the Assembly without engrossment.

By Mr. Lambert: Senate Bill No. 518—An Act to amend the Political Code of the State of California, by adding a new section thereto.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Brown of El Dorado: Senate Bill No. 519—An Act to amend an Act entitled an Act to authorize the County Treasurer of El Dorado County to transfer certain funds, approved March sixteenth, eighteen hundred and seventy-six.

By Mr. Murphy of San Francisco: Senate Bill No. 520—An Act to authorize and continue the widening of Dupont Street, in the City and County of San Francisco.

Each of the above bills read first and second times, and referred to the delegations named in the bills.

By Mr. Goodwin: Senate Bill No. 521—An Act to add a new section to the Code of Civil Procedure.

Read first and second times, and referred to the Judiciary Committee.

By Mr. McGarvey: Senate Bill No. 522—An Act to amend an Act entitled an Act concerning trespassing of animals on private lands in certain counties of the State of California, approved March seventh, eighteen hundred and seventy-eight.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed, and ordered transmitted to the Assembly without engrossment.

By Mr. McCoppin: Senate Bill No. 523—An Act supplementary to and amendatory of an Act entitled an Act to regulate and limit the payment of money out of the treasury of the City and County of San Francisco, approved February twenty-sixth, eighteen hundred and seventy-eight.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

By Mr. Donovan: Senate Bill No. 524—An Act to change the grade of Silver Street, in the City and County of San Francisco.

By Mr. Howe: Senate Bill No. 525—An Act to authorize and empower the Board of Education of the City and County of San Francisco to sell certain real estate.

Each of the above bills read first and second times, and referred to the San Francisco delegation.

By Mr. Nunan (by request): Senate Bill No. 526—An Act to amend section one thousand one hundred and eighty-three of the Code of Civil Procedure.

Read first and second times, and referred to the Judiciary Committee.

MOTIONS AND RESOLUTIONS.

Resolutions were offered, as follows:

By Mr. Murphy of San Francisco:

Resolved, That A. Morrissey be allowed the sum of five dollars per diem as Clerk of the Committee on Commerce and Navigation.

Referred to the Committee on Contingent Expenses.

By Mr. Fowler:

Resolved, That the Assembly be requested to return to the Senate Assembly Bill No. 503 immediately—An Act to amend an Act to regulate the traveling fees of the Sheriffs of the Counties of Inyo and Alpine, and of the Constables, within said counties—for the purpose of amending the same.

Adopted.

Mr. McCoppin asked permission to withdraw the notice of a motion to reconsider the vote by which Senate Bill No. 271 passed, on yesterday.

Agreed to.

Mr. Rogers, in accordance with former notice, moved to reconsider the vote by which the Senate, on yesterday, refused to order engrossed Senate Bill No. 430—An Act to create a bureau of labor and statistics of labor in the State of California.

On motion of Mr. Rogers, the motion was made a special order for Wednesday next, at eleven o'clock and thirty minutes A. M.

On motion of Mr. Craig, the rules were suspended, and Senate Bill No. 472 was taken from the general file and made a special order for Tuesday next, at one o'clock P. M., and Assembly Bill No. 417 ordered at the head of the general file for Monday next.

Mr. Howe moved to take from the general file substitute for Senate Bill No. 46, and re-refer it to the San Francisco delegation.

Lost.

By Mr. Hilborn:

WHEREAS, a committee of seven hold-over Senators were appointed, by the last Senate, to take testimony and prepare an address to the people of the United States upon the evils of Chinese immigration: and whereas, said committee have performed that duty, gathered a large amount of information upon the subject, which has been spread before the Congress and the people of the United States: and whereas, no provision has been made to pay said committee: therefore, be it

Resolved by the Senate, That a committee of three Senators be appointed to inquire into the subject, and report to the Senate.

Adopted.

The Chair appointed the committee provided for under the above resolution—Messrs. Hilborn, Murphy of San Francisco, and Lambert.

Also:

Resolved, That the sum of twenty-five dollars and sixty cents, each, be paid to Senators Hilborn, Angney, Hill, J. C. Murphy, and Nunan, the same being the amount of their mileage in traveling as members of the Committee on Fisheries and Game, in accordance with the provisions of a resolution of the Senate.

Adopted.

Also:

Resolved, That the sum of two hundred and eighty-one dollars and forty cents be and the same is hereby ordered paid out of the Contingent Fund of the Senate, to pay Frank Shay for services rendered the Committee on Fisheries and Game, under the following resolution, adopted December twentieth, eighteen hundred and seventy-seven:

Resolved, That the Committee on Fisheries and Game be permitted to hold one or more meetings in the City of San Francisco, during the holidays' recess of the Senate, for the convenience of witnesses residing in said city, who may desire to appear before the committee: and that said committee be allowed to employ a short-hand reporter, to take down and transcribe the testimony of witnesses, who shall receive for his services the fees allowed by law in civil cases.

Adopted.

[Mr. Murphy of San Francisco in the chair.]

GENERAL FILE.

Substitute for Senate Bill No. 46—An Act to amend and reenact an Act entitled an Act to protect and encourage the production and sale of pure and wholesome milk, and to prohibit and punish the production of unwholesome or adulterated milk, approved March twelfth, eighteen hundred and seventy.

Mr. Howe moved to indefinitely postpone the bill.

On which the ayes and noes were demanded by Messrs. Evans, Craig, and Pierson, and the Senate refused by a vote, as follows:

AYES—Messrs. Dean, Hill, Howe, McCoppin, Murphy of San Francisco, Pierson, Rogers, and Satterwhite—8.

NOES—Messrs. Bones, Boyston, Brown of Amador, Coleman, Craig, Donovan, Evans, Fowler, Goodwin, Gwin, Haymond, Lambert, Lewis, Montgomery, Murphy of San Luis Obispo, Norton, Nunan, and Smith—18.

Read third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Pierson, Howe, and Craig, and it passed by a vote, as follows:

AYES—Messrs. Bones, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Goodwin, Gwin, Lambert, Lewis, McCoppin, McGarvey, Montgomery, Murphy of San Luis Obispo, and Smith—14.

NOES—Messrs. Evans, Fowler, Howe, Murphy of San Francisco, Murphy of Santa Clara, Norton, Nunan, Pierson, and Satterwhite—9.

Mr. Rogers gave notice of a motion to reconsider the vote by which the bill passed.

Mr. Boyston submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, March 9th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 354—An Act making the Sheriff of Butte County the Collector of License therein, and fixing his salary therefor.

Also, Senate Bill No. 339—An Act to amend an Act entitled an Act to create a Board of Auditors for El Dorado County, and fix the powers thereof, approved March thirtieth, eighteen hundred and seventy-four, and the Act amendatory thereof, approved April first, eighteen hundred and seventy-six.

Also, Senate Bill No. 382—An Act to amend an Act entitled an Act to establish and define the powers and duties of the Board of Education of the City of Petaluma, approved January sixth, A. D. eighteen hundred and seventy-two, and the Acts supplementary thereto and amendatory thereof.

Also, Senate Bill No. 162—An Act concerning licenses in the County of San Benito.

Also, Senate Bill No. 11—An Act to amend an Act in relation to the government of the County of Sacramento, approved March thirtieth, eighteen hundred and seventy-four.

Also, Senate Bill No. 344—An Act to amend an Act entitled an Act authorizing the Trustees of San Buenaventura School District, Ventura County, to issue bonds for said district for the sum of ten thousand dollars, approved March sixteenth, eighteen hundred and seventy-two.

Also, Senate Bill No. 255—An Act to amend an Act entitled an Act to re-incorporate the City of Stockton, approved March twenty-seventh, eighteen hundred and seventy-two.

Also, Senate Bill No. 379—An Act to amend an Act entitled an Act to re-incorporate the City of San José, approved March seventeenth, eighteen hundred and seventy-four.

Also, Senate Bill No. 233—An Act to amend an Act to create the Twenty-first Judicial District, approved February fifteenth, eighteen hundred and seventy-six, by changing the dates of holding terms of said Court in said district.

Also, Assembly Bill No. 378—An Act to amend an Act in relation to the county officers of Santa Clara County, their fees and salaries, approved February tenth, eighteen hundred and seventy-six.

Also, substitute for Senate Bill No. 207—An Act amendatory of an Act to provide for the maintenance and construction of roads and highways in the County of Mariposa, approved March thirty-first, eighteen hundred and seventy-six.

Also, Senate Bill No. 115—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, to provide for the opening of Army Street, and the condemnation of private property therefor.

Also, Senate Bill No. 393—An Act to authorize the Board of Supervisors of the County of Santa Clara to issue bonds in payment of certain indebtedness.

Also, Senate Bill No. 380—An Act concerning the Santa Clara Avenue, and certain public lands of the City of San José, in the County of Santa Clara.

Also, substitute for Senate Bill No. 353—An Act for the encouragement of agriculture and other industries.

Also, Senate Bill No. 57—An Act to reimburse the County of Placer for moneys expended in the collection of State taxes.

Also, Senate Bill No. 342—An Act to legalize a tax for building a school house, in the New York School District, in Contra Costa County.

Also, substitute for Senate Bill No. 33—An Act to regulate the fees, and establish the compensation of the County Recorder of the County of Placer, and to repeal an Act entitled an Act to fix the salary of the County Recorder of the County of Placer, approved March twenty-seventh, eighteen hundred and seventy-four.

Also, Senate Bill No. 392—An Act to amend an Act entitled an Act concerning streams in the County of Santa Clara, approved March twenty-eighth, eighteen hundred and seventy-two.

Also, Senate Joint Resolution No. 26—Memorializing Congress to abolish the duties on grain bags and the materials of which they are made.

Also, substitute for Senate Bill No. 202—An Act for the relief of Edward C. Kirby and John Burke.

Also, substitute for Senate Bill No. 288—An Act to amend an Act entitled an Act to provide for the location, construction, and maintenance of public roads in the County of Nevada, approved March twenty-first, eighteen hundred and seventy-two.

Also, substitute for Senate Bill No. 186—An Act in relation to the office of Sheriff of the City and County of San Francisco.

Also, Senate Bill No. 217—An Act to amend the Political Code, respecting the health and quarantine regulations of the City and County of San Francisco.

Also, substitute for Senate Joint Resolution No. 34—Relative to vine culture.

Also, Senate Bill No. 403—An Act to confer further powers on the Board of Directors of the California Institution for the Deaf, the Dumb, and the Blind.

And, this day, at twelve o'clock M., presented the same to the Governor.

JOHN S. BOYSTON, for the Committee.

By Mr. Smith :

MR. PRESIDENT : The Los Angeles delegation, to whom was referred Assembly Bill No. 314—Report the same back with amendment, and recommend that it pass as amended.

GEORGE H. SMITH.

Rules suspended, and the bill taken up for consideration.

Amendments adopted.

Read third time, and passed.

SPECIAL ORDER—SET FOR ONE O'CLOCK P. M.

Senate Bill No. 455—An Act creating the Twenty-third Judicial District, and defining the Third and Twelfth Districts.

Was, on motion of Mr. Pierson, continued as a special order for Tuesday next, at twelve o'clock M.

Senate Bill 351.

Ordered at bottom of general file.

GENERAL FILE RESUMED.

Senate Bill No. 214.

Referred to the San Francisco delegation.

Substitute for Senate Bills Nos. 153, 156, and 295, and for section four hundred and fifty-three, in section three of Senate Bill No. 155, Senate Bill No. 486, substitute for Senate Bill No. 154, and substitute for Senate Bill No. 155, were, on motion of Mr. Haymond, referred to Mr. Satterwhite, and made a special order for Monday next, at one o'clock P. M.

Senate Bill No. 399 was ordered at the bottom of the general file.

Assembly Bill No. 177—An Act to aid in the construction of a railroad from the City of Eureka, in Humboldt County, State of California, to Eel River Valley, in said county.

Read third time, and passed.

Assembly Bill No. 492.

Passed on file.

Senate Bill No. 307—An Act to establish a scale for the measurement of logs.

Amendments concurred in.

Rules suspended, considered engrossed, read third time, and passed.

SPECIAL ORDER—FOR ONE O'CLOCK AND THIRTY MINUTES P. M.

Substitute for Senate Bill No. 13—An Act to provide a system of irrigation, and

Senate Bill No. 462—An Act to provide a system of irrigation, promote rapid drainage, and improve the navigation of the Sacramento and San Joaquin Rivers.

Substitute for Senate Bill No. 13, reported from Committee of the Whole with recommendation that the bill be laid on the table.

On which the ayes and noes were demanded by Messrs. Satterwhite, McCoppin, and Lambert, and the bill was laid on the table by a vote, as follows:

AYES—Messrs. Bones, Boyston, Brown of Amador, Coleman, Craig, Crane, Evans, Fowler, Goodwin, Gwin, Haymond, Lambert, Lewis, Montgomery, Murphy of San Luis Obispo, Norton, Rogers, and Smith—18.

NOES—Messrs. Dean, Hill, Howe, McCoppin, Murphy of San Francisco, Nunan, Pierson, and Satterwhite—8.

Senate Bill No. 462 was now taken up for consideration.

Amendments adopted in the Committee of the Whole concurred in. Ordered engrossed.

On motion of Mr. McGarvey, the bill, with amendments, was ordered printed out of its order, and made a special order for Monday next, immediately after morning roll call.

Mr. Murphy of Santa Clara made a report, as follows:

SENATE CHAMBER,
SACRAMENTO, March 9th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 352—An Act amendatory of and supplementary to an Act entitled an Act to authorize the County Judge of Tehama County to distribute town lots, held by him in

trust for the citizens of the Town of Red Bluff, and to issue certificates of title to the inhabitants of said town, in accordance with their respective interests, approved March sixth, eighteen hundred and sixty-eight.

B. D. MURPHY, for the Committee.

ADJOURNMENT.

At two o'clock and fifty-three minutes P. M., on motion of Mr. Hilborn, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
MONDAY, March 11th, 1878. }

The Senate met pursuant to adjournment.

President pro tem. in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Nunan, Pierson, Rogers, Satterwhite, Searls, and Smith.

Quorum present.

The Journal of Saturday last not read, and approved, on motion of Mr. McGarvey.

Mr. Whitney was granted leave of absence for one day, and Mr. Norton was granted indefinite leave of absence.

SPECIAL ORDER—IMMEDIATELY AFTER ROLL-CALL.

Senate Bill No. 462—An Act to provide a system of irrigation, etc., was postponed until one o'clock P. M.

On motion of Mr. Hilborn, Assembly Bill No. 541—An Act to create the office of Commissioner of Transportation, and to define its powers and duties, to fix the maximum charges for transportation of passengers and freights on certain railroads in this State, and to prevent extortion and unjust discrimination thereon—was ordered printed out of its order.

REPORTS.

Reports were submitted, as follows:

By Mr. Montgomery:

MR. PRESIDENT: The delegation, to whom was referred Assembly Bill No. 569—has had the same under consideration, and report it back, and recommend its passage.

Also, Assembly Bill No. 573—and report the same back, and recommend its passage.

MONTGOMERY, for Delegation.

By Mr. McCoppin:

MR. PRESIDENT: The Committee on Finance and Claims, to whom was referred Senate Concurrent Resolution No. 33—Relative to the funded indebtedness of the State—have had the same under consideration, and report it back to the Senate without recommendation.

Also, petitions of the citizens of Los Angeles County, numbered one and eight—report the same back, with a recommendation against the contents thereof.

Also, Senate Bill No. 323—An Act for the relief of Add. C. Hinkson—report the same back, and recommend that it do not pass.

Also, Senate Bill No. 334—An Act to appropriate twenty-five thousand dollars, to be used conjointly with a like sum of twenty-five thousand dollars, donated by H. D. Bacon for the construction of a building, to be erected on the State University grounds, for a library and art gallery—report the same back, and recommend its passage.

Also, Senate Bill No. 413—An Act for the relief of James W. Marshall—report the same back with amendments, and recommend the adoption of the amendments, and without recommendation as to the passage of the bill.

Also, Senate Bill No. 502—An Act authorizing the State Board of Capitol Commissioners to purchase certain portraits—report the same back, and recommend that it do not pass.

Also, Senate Bill No. 110—An Act authorizing the adjudication of certain claims against the State—report the same back without recommendation.

McCOPPIN, Chairman of Committee.

By Mr. Brown of El Dorado :

MR. PRESIDENT: The delegation, to whom was referred Senate Bill No. 519—An Act to amend an Act entitled an Act to authorize the County Treasurer of El Dorado County to transfer certain funds—having had the same under consideration, report it back to the Senate, and recommend its passage.

BROWN, for the Delegation.

By Mr. Hill :

MR. PRESIDENT: The Lake County delegation, to whom was referred Assembly Bill No. 468—An Act to amend an Act to amend an Act to amend an Act entitled an Act to provide for the payment of certain bonds of the County of Lake, approved March twenty-eighth, eighteen hundred and seventy-four, approved March twenty-third, eighteen hundred and seventy-six—herewith report the same back, and recommend passage.

HILL, for Delegation.

By Mr. Pierson :

MR. PRESIDENT: Your Committee on Public, and Swamp, and Overflowed Lands, begs leave to report that it has had under consideration Senate Bill No. 363—An Act for the relief of purchasers of State lands—and reports the same back with amendments, and recommends the passage of the same as amended.

PIERSON, Chairman.

Mr. McCoppin, for the Committee on Claims, verbally reported Senate Bill No. 316, recommending the passage of a substitute accompanying the bill—An Act for the relief of the California Furniture Manufacturing Company of San Francisco.

Mr. Satterwhite verbally reported, without recommendation, substitute for Senate Bills Nos. 153, 156, and 295, and for section four hundred and fifty-three, in section three, of Senate Bill No. 155.

Senate Bill No. 486.

Substitute for Senate Bill No. 154.

Substitute for Senate Bill No. 155.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows:

By Mr. Haymond: Senate Bill No. 527—An Act to amend a certain section of the Civil Code, relating to corporations.

Read first and second times, and referred to the Committee on Corporations.

Also, Senate Bill No. 528—An Act relative to the Board of Supervisors of Sacramento County.

By Mr. Howe: Senate Bill No. 529—An Act for the extension of Fourteenth Street, in the City and County of San Francisco.

By Mr. Hilborn: Senate Bill No. 530—An Act to amend an Act entitled an Act in relation to highways in the County of Solano, approved March sixteenth, eighteen hundred and seventy-six.

Also, Senate Bill No. 531—An Act to amend an Act in relation to highways in the County of Solano, approved March sixteenth, eighteen hundred and seventy-six.

Each of the above bills read first and second times, and referred to the delegations named in the bills.

By Mr. Hilborn, for the Joint Committee on Fisheries and Game: Senate Bill No. 532—An Act to amend section six hundred and forty-two of the Political Code, respecting the duties of the Fish Commissioners.

Read first and second times, and made a special order for Tuesday next, at twelve o'clock, with the other bills to be considered at that time.

GENERAL FILE.

Assembly Bill No. 417—An Act giving a lien to loggers and laborers employed in logging camps upon the logs cut and hauled, by the person who employs them.

Referred to the Judiciary Committee, on motion of Mr. McGarvey.

Assembly Bill No. 492—An Act to amend an Act entitled an Act to establish pounds in the County of San Mateo, approved March eighteenth, eighteen hundred and seventy-six.

Amendments concurred in.

Read third time, and passed.

Substitute for Senate Bill No. 148—An Act to amend sections three thousand three hundred and thirty-five and three thousand three hundred and thirty-seven of the Political Code.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bills Nos. 23 and 318.

Passed on file.

Senate Bill No. 38 and Senate Bill No. 140, and substitute for same—An Act to amend an Act entitled an Act for the appointment of Inspector of Stationary Steam-boilers and Steam-tanks, and for the better security of life and property in the City and County of San Francisco, approved March twenty-seventh, eighteen hundred and seventy-six.

Mr. Rogers moved to pass the bills on file.

Lost.

On motion of Mr. Evans, the bills were ordered at the head of the general file for to-morrow.

Senate Bill No. 206—An Act to provide for the extension of Tehama Street, in the City and County of San Francisco.

Amendments concurred in.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 357—An Act to provide for the appointing of an additional Deputy Clerk for the Justices' Court of the City and County of San Francisco.

Rules suspended, considered engrossed, read third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Lambert, Howe, and Donovan, and it passed by a vote, as follows:

AYES—Messrs. Boney, Craig, Crane, Dean, Donovan, Evans, Fowler, Gwin, Howe, Lambert, Lewis, McGarvey, Murphy, of San Francisco, Nunan, Pierson, and Satterwhite—16.

NOES—Messrs. Coleman, Curtis, Flint, Hilborn, McCoppin, Searls, and Smith—7.

Senate Bill No. 410—An Act to provide for the construction and maintenance of municipal gas-works in the City and County of San Francisco.

Withdrawn by Mr. Dean, the author of the bill, by general consent.

[Mr. Murphy of San Francisco in the chair.]

Senate Bill No. 425—An Act providing for the payment of certain salaries out of the Special Fee Fund of the City and County of San Francisco.

Rules suspended, considered engrossed, read third time, and passed. Assembly Bill No. 631.

Ordered at bottom of the general file.

On motion of Mr. Smith, and by unanimous consent, the vote by which Assembly Bill No. 314—An Act to authorize the Board of Supervisors of Los Angeles County to purchase a farm in the County of Los Angeles, to build and establish a County Alms-house and Hospital thereon, and to issue bonds for the payment of the same, passed on Saturday last, was reconsidered, and the bill re-referred to the Los Angeles delegation.

Senate Bill No. 219—An Act to provide a new Great Register for the County of Yolo, and re-register the voters thereof.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 350—An Act to provide for ascertaining and paying certain claims against the City and County of San Francisco.

Re-referred to the San Francisco delegation.

Senate Bills Nos. 377 and 467.

Passed on file.

Senate Bill No. 419—An Act amendatory of section one thousand four hundred and ninety-four of the Code of Civil Procedure of the State of California.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 442—An Act to amend section one thousand one hundred and sixty-one of the Code of Civil Procedure of the State of California.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 473—An Act to amend section four hundred and seventy-three of the Civil Code.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 504.

Ordered at the foot of the general file.

Senate Bill No. 292—An Act to amend section three hundred and twenty-five of the Code of Civil Procedure.

Re-referred to the Judiciary Committee.

Senate Bill No. 313—An Act to amend an Act entitled an Act in relation to certain streets in the Town of Alameda, passed March thirtieth, eighteen hundred and seventy-four.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bills Nos. 443 and 441.

Passed on file.

Senate Bill No. 415—An Act relative to the Attorney-General and District Attorneys.

Amendments adopted.

On motion of Mr. Donovan, the bill was re-referred to the Judiciary Committee.

Senate Bill No. 477—An Act to regulate the retail liquor traffic within the State of California.

Amendments were proposed to the bill.

On motion of Mr. Lewis, the bill was made a special order for Wednesday, at one o'clock, with pending amendments.

Mr. Lambert, for the Committee on Federal Relations, verbally reported a petition of H. M. Naglee, in reference to reclamation of overflowed lands, requesting it lay on the table, to be taken up with a resolution on the same subject.

Mr. Lambert was granted leave of absence for the remainder of the day.

ASSEMBLY MESSAGE.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, March 11th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the sixth day of March, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 622—An Act to fix the terms of the County and Probate Courts in and for the County of Modoc.

Also, Assembly Bill No. 179—An Act to regulate street railroads in the State of California.

Also, Assembly Bill No. 648—An Act to regulate fees and salaries in the County of Los Angeles.

Also, Assembly Bill No. 349—An Act in relation to reclamation in the County of Colusa, and that part of Yolo County which is in Reclamation District Number One Hundred and Eight.

Also, Assembly Bill No. 571—An Act to reorganize Swamp Land District Number Seventy, of Sutter County, and to provide for the construction, maintenance, and repairing of levees therein.

Also, Assembly Bill No. 103—An Act to repeal an Act to protect the public roads in Santa Clara County.

Also, Assembly Bill No. 247—An Act to regulate fees of office in certain counties.

Also, Assembly Bill No. 605—An Act for the relief of bondsmen of W. W. Hill, late Treasurer of the County of Fresno.

Also, Assembly Bill No. 369—An Act for the preservation of fish in the waters of Lake Tahoe.

Also, Assembly Bill No. 621—An Act to authorize the Board of Supervisors of Modoc County to erect a County Clerk's office, and to issue the bonds of the county therefor.

Also, Assembly Concurrent Resolution No. 64—Relative to correcting Assembly Bill No. 41.

Also, passed Senate Bill No. 35—An Act to provide for determining the rights of parties in certain swamp and overflowed lands in Fresno and Kern Counties.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bills Nos. 622, 247, and 605, above reported.

Each read first and second times, and referred to the Judiciary Committee.

Assembly Bills Nos. 179, 645, 103, and 621, above reported.

Each read first and second times, and referred to the delegations named in the bills.

Assembly Bills Nos. 349 and 571, above reported.

Each read first and second times, and referred to the Committee on Public Lands.

Assembly Bill No. 369, above reported.

Read first and second times, and referred to the Committee on Fisheries and Game.

Assembly Concurrent Resolution No. 64, above reported.

Concurred in.

Special order, set for consideration after roll-call, was now taken up.
Senate Bill No. 462—An Act to provide a system of irrigation, promote rapid drainage, and improve the navigation of the Sacramento and San Joaquin Rivers.

Mr. Brown of Amador moved to refer the bill to Mr. Haymond, the author, with special instructions to amend, as follows:

Insert in section four, line four, of sub-division eight, after the word "State," the following words: "To ascertain the amount and value of agricultural land and improvements which have been covered up, or injured by the overflow or deposit of debris coming from hydraulic and other mines in the Sacramento Valley."

The instructions were amended, on motion of Mr. McGarvey, as follows:

Amend section four by striking out of line six, sub-division ten, the words "whose compensation may be," and insert in the stead, as follows, "who shall receive not exceeding."

The bill was so referred.

Mr. Haymond verbally reported the bill in accordance with the special instructions.

Report received, and the amendments adopted.

The bill was then read third time, and passed.

Special orders, set for one o'clock p. m., were now taken up.

Senate Bill No. 391—An Act to authorize Loren Coburn, his associates and assigns, to construct, maintain, and keep a wharf and chute at Pigeon Point, County of San Mateo.

On motion of Mr. Rogers, the bill was indefinitely postponed.

Substitute for Senate Bills Nos. 153, 156, and 295, and for section four hundred and fifty-three, in section three, of Senate Bill No. 155—An Act to amend the Political Code, in relation to insurance.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 486—An Act to amend an Act entitled an Act to amend an Act entitled an Act to provide for official valuation of life insurance policies, approved April fourth, eighteen hundred and seventy, approved February twelfth, eighteen hundred and seventy-two.

Re-referred to the Judiciary Committee.

Substitute for Senate Bill No. 154—An Act to amend the Civil Code, relative to insurance.

Substitute adopted.

Rules suspended, considered engrossed, read third time, and passed.

Substitute for Senate Bill No. 155—An Act to amend the Civil Code, and repeal certain Acts relative to insurance.

Substitute adopted.

Rules suspended, considered engrossed, read third time, and passed.

GENERAL FILE RESUMED.

Senate Bill No. 489.

Passed on file.

Assembly Bill No. 527—An Act to authorize the Board of Supervisors of San Diego County to transfer certain funds of said county.

Read third time, and passed.

Senate Joint Resolution No. 44—Relating to swamp and overflowed lands.

Read first and second times.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Joint Resolution No. 3—Relative to granting public lands to corporations.

Read third time, and passed.

Assembly Joint Resolution No. 32—Relative to certain Indians in southern counties of the State of California.

Read third time, and passed.

Assembly Joint Resolution No. 43—Relative to the import duty on mohair.

Read third time, and passed.

Assembly Joint Resolution No. 44—Relative to the recognition of the Diaz Government of Mexico.

Read third time, and passed.

Assembly Joint Resolution No. 46—Relative to a change in the import duty on wool.

Read third time, and passed.

Assembly Joint Resolution No. 50—Relative to a mail route in Butte County.

Read third time, and passed.

Assembly Joint Resolution No. 55—Relative to a mail route in Fresno and Tulare Counties.

Substitute adopted.

Read third time, and passed.

Assembly Joint Resolution No. 62—Asking increased mail facilities in San Luis Obispo County.

Read third time, and passed.

Senate Bill No. 581—An Act to authorize the City of Oakland to pay the sum of fifteen thousand dollars for the bridge heretofore constructed across the Estuary of San Antonio, between Eighth Street and East Ninth Street.

Amendment adopted.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 399.

Passed on file.

Mr. Gwin offered a concurrent resolution, as follows:

The Congress of the United States, in Senate and House of Representatives, passed an Act entitled an Act authorizing a grant to the State of California of the Yosemite Valley, and the land embracing the Mariposa Big Tree Grove, which Act, approved June thirtieth, eighteen hundred and sixty-four, contains the following provisions: "That there shall be and is hereby granted to the State of California the cleft or gorge in the Granite Peak of the Sierra Nevada Mountains, situated in the County of Mariposa, in the State aforesaid, and the headwaters of the Merced River, and known as the Yosemite Valley, with its branches and spurs, in estimated length fifteen miles, and in average width one mile back from the main edge of the precipice on each side of the valley, with the stipulation, nevertheless, that the said State shall accept this grant upon the express conditions that the premises shall be held for public use, resort, and recreation, and shall be inalienable for all time; but leases not extending ten years may be granted for portions of said premises." And whereas, the leases named in said quoted provisions of the law aforesaid are yet in existence; therefore, be it

Resolved by the Senate, the Assembly concurring, That the Commissioners of Yosemite Valley be requested, and it is the sense of the Legislature, that in future no leases be made for any land located in said valley for more than ten (10) acres, in which lease it is stipulated that fences can be erected; be it further

Resolved, That the Commissioners of Yosemite Valley are requested, and it is the sense of the Legislature, that they so modify, as far as possible, the present leases under which fences have been erected on more than ten (10) acres of land in said valley, thereby removing such obstructions; be it further

Resolved, That in any future leases granted by said Commissioners, it is requested, and is the sense of the Legislature, there shall be incorporated a provision that when fences are allowed on land of ten (10) acres or less, the property so leased and fenced shall only be used for hotel

and other purposes for the accommodation of visitors to the valley, and for no other purposes whatever.

Adopted.

ADJOURNMENT.

At one o'clock and fifty-three minutes P. M., on motion of Mr. Brown of El Dorado, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
TUESDAY, March 12th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Haymond, Hulborn, Hall, Howe, Lambert, Lewis, McOppin, McGarvey, Montgomery, Murphy of San Francisco, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

The Journal of yesterday read and approved.

PETITIONS.

Petitions were presented, as follows:

By Mr. Ream—A remonstrance from citizens of Shasta County, California, opposing the reduction of telegraph rates.

Received, and referred to the Committee on Corporations.

REPORTS.

Reports were submitted, as follows:

By Mr. Craig:

SENATE CHAMBER,
SACRAMENTO, March 11th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 345—An Act to repeal an Act entitled an Act to protect agriculture in the County of El Dorado, approved March twentieth, eighteen hundred and seventy-six.

Also, Senate Bill No. 428—An Act respecting the Hospital of the County of Placer.

Also, Senate Bill No. 427—An Act to regulate and provide for the payment of the fees of medical experts as witnesses in civil actions in the Courts.

Also, Senate Bill No. 56—An Act to provide homes for homeless children, and for such as whose parents or natural guardians are incapable of taking care of.

Also, Senate Bill No. 449—An Act to amend an Act entitled an Act to incorporate the Town of Martinez, and to provide for the government thereof, approved April first, eighteen hundred and seventy-six.

Also, Senate Bill No. 218—An Act to amend section one thousand five hundred and ninety of the Penal Code.

Also, Senate Bill No. 343—An Act to fund certain indebtedness of Solano County.

Also, Senate Bill No. 429—An Act to amend section three thousand eight hundred and eighty-one of the Political Code.

Also, Senate Bill No. 420—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and authorize certain appropriations of money by said Board.

Also, Senate Bill No. 418—An Act to amend section six hundred and two of the Penal Code.

Also, Senate Bill No. 424—An Act to amend sections three and four of an Act entitled an Act to regulate the practice of pharmacy in the City and County of San Francisco, passed March twenty-eighth, eighteen hundred and seventy-two, and amended March thirty-first, eighteen hundred and eighty-six.

Also, Senate Bill No. 231—An Act relating to advances bona fide made to agents intrusted with goods, and for the better protection of such advances.

Also, substitute for Senate Bill No. 58—An Act to fix the fees of Justices of the Peace for the County of Contra Costa.

Also, Senate Bill No. 163—An Act concerning roads and highways in the County of San Benito.

Also, Senate Bill No. 82—An Act concerning the water front in the City and County of San Francisco.

CRAIG, for the Committee.

By Mr. McGarvey:

MR. PRESIDENT: The Judiciary Committee, to whom was referred Senate Bill No. 439—An Act to amend section one thousand three hundred and eighty-six of the Civil Code—have had the same under consideration, and report it back, without recommendation.

Also, Senate Bill No. 482—An Act to amend section three hundred and thirty-six of the Civil Code of the State of California—report the same back, and recommend its passage.

Also, Senate Bill No. 481—An Act to amend sections three hundred and thirty-seven, three hundred and forty, and three hundred and forty-one, and to repeal section three hundred and thirty-eight of the Civil Code of the State of California—report the same back; a majority recommend that it do not pass.

Also, Senate Bill No. 496—An Act to create the office of State Gauger of Wines and Spirituous Liquors, and to define his duties—report the same back; a majority recommend that it do not pass.

Also, Senate Bill No. 497—An Act to amend section eight hundred and thirty-two of the Civil Code, concerning lateral and subjacent support of land—report the same back, and recommend that it do not pass.

Also, Assembly Bill No. 384—An Act amending section four hundred and fifteen of the Penal Code, in relation to crimes against the public peace—report the same back with amendments, and recommend its passage as amended.

R. MCGARVEY, Chairman.

By Mr. Searls:

MR. PRESIDENT: The Nevada delegation, to whom was referred Senate Bill No. 14—An Act to regulate the salaries and fix the compensation of certain county officers in the County of Nevada—having had said bill under consideration, report the same back, and recommend its passage.

NILES SEARLS,
JOHN C. COLEMAN.

Rules suspended, and the bill, above reported, taken up for consideration.

Considered engrossed, read third time, and passed.

By Mr. Bones:

MR. PRESIDENT: The Alameda delegation, to whom was referred Assembly Bill No. 637—An Act to authorize the Board of Supervisors of Alameda County to pay the claim of Edwin Kimball—having examined the same, do hereby recommend that it pass.

BEAZELL,
J. W. BONES.

Rules suspended, and the bill, above reported, taken up for consideration.

Read third time, and passed.

By Mr. Brown of El Dorado:

MR. PRESIDENT: The delegation, to whom was referred Assembly Bill No. 520—An Act to provide for the improvement and maintenance of the public roads in the County of El Dorado

—having had the same under consideration, report it back to the Senate, and recommend its passage.

BROWN, for the Delegation.

By Mr. Smith :

MR. PRESIDENT: The Los Angeles delegation, to which was referred Assembly Bill No. 314—reports the same back with an amendment, in lieu of the amendment heretofore adopted, and recommends that the bill pass as amended.

GEORGE H. SMITH.

Rules suspended, and the bill, above reported, taken up for consideration.

By unanimous consent an amendment, adopted on Saturday last, was reconsidered, and the amendment rejected.

Amended.

Read third time, and passed.

By Mr. Howe, for Mr. Nunan :

MR. PRESIDENT: The San Francisco delegation, to whom was referred Assembly Bill No. 119—Relative to the establishment and collection of water-rates in cities and towns with more than one hundred thousand inhabitants, etc.—have had the same under consideration, report it back, and recommend its passage as amended.

E. NUNAN, Chairman.

Mr. Hilborn, for the delegation, verbally reported, recommending its passage, Senate Bill No. 530—An Act to amend an Act entitled an Act in relation to highways in the County of Solano, approved March sixteenth, eighteen hundred and seventy-six.

Rules suspended, and the bill taken up for consideration.

Considered engrossed, read third time, and passed.

Mr. Lewis, for the delegation, verbally reported, recommending its passage, Assembly Bill No. 623—An Act to amend an Act entitled an Act to provide for establishing, maintaining, and providing public and private roads in Colusa County, approved March twenty-sixth, eighteen hundred and seventy-four.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

Mr. Crane, for the delegation, verbally reported, recommending its passage, Assembly Bill No. 572—An Act in relation to certain officers in Plumas County, and to fix the compensation thereof.

Mr. Evans, for the delegation, verbally reported, recommending its passage, Assembly Bill No. 590—An Act to provide for the payment of the debt incurred in building a school house for Tulare School District, in San Joaquin County.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

Mr. Curtis, for the delegation, verbally reported, recommending its passage, Senate Bill No. 369—An Act for the protection of the public roads on Sherman Island.

Rules suspended, and the bill taken up for consideration.

Considered engrossed, read third time, and passed.

Mr. McCoppin verbally reported, from the Committee on Finance and Claims, Assembly Bill No. 532—An Act for the relief of J. B. Scott, asking its reference to the delegation from Monterey County.

So referred.

GOVERNOR'S MESSAGE.

The following message was received from the Governor :

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bills No. 32—An Act to amend section six hundred and sixty-three of the Code of Civil Procedure.

No. 49—An Act to amend section one thousand six hundred and twenty-four of the Civil Code.

No. 57—An Act to amend section nine hundred and sixty-nine of the Code of Civil Procedure.

No. 94—An Act for the relief of Cook Talcott and Andrew Onderdonk.

No. 112—An Act to amend section one thousand one hundred and sixty-six of the Code of Civil Procedure, in relation to forcible or unlawful detainer.

No. 116—An Act to define the powers of the Board of Supervisors of the City and County of San Francisco, with reference to contracts.

Senate Substitute No. 176—An Act to bind certain indebtedness of Tulare County.

No. 161—An Act regulating the powers of the Board of Supervisors of the County of Placer.

No. 182—An Act to fix the salary of the Superintendent of Public Schools in the County of Calaveras.

No. 189—An Act to amend an Act entitled an Act to widen English Street in the City of Petaluma, and to take private lands thereon, approved March twenty-fifth, eighteen hundred and seventy-six.

No. 197—An Act to amend section two thousand one hundred and eighty of the Civil Code.

Substitute for No. 202—An Act for the relief of Edwara S. Kirby and Josie Burke.

No. 216—An Act to amend section three hundred and seventy-six of the Penal Code.

No. 217—An Act to amend the Partial Code, respecting the health and quarantine regulations for the City and County of San Francisco.

No. 264—An Act to ratify and confirm ordinance number sixty-four, passed by the City Council of the City of Stockton, and approved by the Acting Mayor of said city on the eighth of December, eighteen hundred and seventy-seven.

No. 287—An Act for the relief of Charles Burke, J. D. B. Kingsly, D. Malloch, William Kincaid, Stacy Taylor, A. M. Abbey, and M. G. Merritt, all of the County of Tulare.

No. 304—An Act regulating the State and county tax and assessments, in the County of Nevada, in eighteen hundred and seventy-seven, and eighteen hundred and seventy-eight.

No. 330—An Act amending an Act entitled an Act to amend an Act entitled an Act to revise and amend an Act entitled an Act to incorporate the Town of Grass Valley, approved April fifteenth, eighteen hundred and sixty-one, approved February, eighteen hundred and sixty-four, approved March twenty-fourth, eighteen hundred and sixty-six.

No. 400—An Act to confer further powers on the Board of Directors of the California Institution for the education of the Deaf, the Dumb, and the Blind.

No. 463—An Act making appropriation for deficiency in the expenses of the State Prison.

WILLIAM IRWIN, Governor.

ASSEMBLY MESSAGE.

The following message was received from the Assembly:

ASSEMBLY CHAMBER, }
SACRAMENTO, March 12th, 1878. }

MR. PRESIDENT—I have been directed to inform your honorable body that the Assembly, on the eleventh day of March, A. D. eighteen hundred and seventy-eight, passed Senate Bill No. 144—An Act for the relief of Wells, Fargo & Co.

Also, Senate Bill No. 1—An Act to establish and maintain free public libraries and reading-rooms.

Also, Senate Bill No. 346—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board.

Also, Senate Bill No. 411—An Act to authorize the Trustees of the I. O. O. F. of the City of San Francisco to lease the lot of land in the City of San Francisco held by said Trustees for the I. O. O. F. of said city.

Also, Senate Bill No. 398—An Act to provide for the building of a school house in Anaheim School District, in the County of Los Angeles, State of California.

Also, Senate Bill No. 286—An Act granting certain privileges to the North Beach and Mission Railroad Company.

Also, Senate Bill No. 479—An Act to amend certain sections of an Act entitled an Act to provide for the location, construction, and maintenance of public roads in the County of Nevada, approved March twenty-first, eighteen hundred and seventy-two.

Also, Senate Bill No. 310—An Act to increase the appropriations for the support of the Hospital and Alms-house of the City and County of San Francisco.

Also, Senate Bill No. 281—An Act to add a new section to the Penal Code, in relation to the adulteration of candies.

Also, Senate Bill No. 356—An Act to amend sections three thousand and seventy-four, three

thousand and seventy-seven, three thousand and seventy-nine, and three thousand and eighty-one of the Political Code, and to add a new section thereto, to be numbered section three thousand and eighty-three, relative to the registration of births, marriages, and deaths.

Also, Senate Bill No. 60—An Act to provide for the payment of certain coupons upon bonds issued to the Central Pacific Railroad Company, and known as State Aid Bonds.

Also, Senate Bill No. 285—An Act to amend section one thousand seven hundred and seventy of the Political Code—relative to County Boards of Examination.

Also, Senate Bill No. 374—An Act to pay the claim of Hiram Clock.

Also, Senate Bill No. 207—An Act for the relief of John A. Odell.

Also, Senate Bill No. 476—An Act to amend an Act entitled an Act for the improvement of the streets of the City of Sacramento, approved March eighth, eighteen hundred and seventy-six.

Also, Senate Bill No. 386—An Act to confer further powers on the Common Council of the City of Santa Barbara.

Also, Senate Bill No. 422—An Act authorizing the Mayor and Common Council of the City of San José to establish and provide for the maintenance of a Board of Health.

Passed Senate Joint Resolution No. 37—In regard to a cemetery for San Francisco.

Also, amended and passed Senate Bill No. 141—An Act to amend section two thousand five hundred and fifty-two of an Act to amend an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two, and to add a new section thereto, approved February twenty-eighth, eighteen hundred and seventy-six.

Also, Senate Bill No. 128—An Act to amend section three thousand and sixty-one of the Political Code, relating to local Boards of Health.

Also, Senate Bill No. 239—An Act to consolidate certain funds, and to create therefrom a permanent endowment fund for the University of California, of which the interest only shall be used by the Board of Regents to meet contingent expenses.

Also, Senate Bill No. 44—An Act to fix the bonds of the county officers of Ventura County.

Also, Senate Bill No. 273—An Act to legalize the assessment of taxes in the City and County of San Francisco, and to ratify and confirm a resolution of the Board of Supervisors of the City and County of San Francisco.

Also, substitute for Senate Bill No. 212—An Act to amend sections two thousand five hundred and twenty-seven and two thousand five hundred and thirty-six of the Political Code, concerning the construction of the sea-wall of San Francisco.

Also, Senate Bill No. 26—An Act to amend section two hundred and ninety-nine of the Civil Code.

Also, on this day, concurred in Senate amendments to Assembly Bills Nos. 402 and 492, and Assembly Joint Resolution No. 55.

Also, have been directed to request the return to the Assembly of Assembly Bill No. 616—An Act to authorize and empower the Sheriff of Colusa County to appoint a Jailor.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Senate Bill No. 26, above reported, was referred to the Judiciary Committee.

Substitute for Senate Bill No. 212, Senate Bills Nos. 273, 44, 239, and 138, above reported.

Each taken up for consideration, and the Assembly amendments to the bills severally concurred in.

Assembly Bill No. 616 was ordered returned to the Assembly, in accordance with request—the bill being reported to the Senate by Mr. Lewis, from the delegation, for that purpose.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows:

By Mr. Pierson: Senate Bill No. 533—An Act for the relief of A. D. Splivado, J. H. Coleman, and Juan de Toro.

Read first and second times, and referred to the San Francisco delegation.

By Mr. McCoppin: Senate Bill No. 534—An Act to amend the Code of Civil Procedure.

Read first and second times, and referred to the Judiciary Committee.

Also, Senate Bill No. 535—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board, to pay certain deficiencies in the general fund of said city and county.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed, and ordered to Assembly without engrossment.

By Mr. Ream: Senate Bill No. 536—An Act to provide for the refunding of the funded debt of Siskiyou County, California.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed, and ordered to Assembly without engrossment.

By Mr. Craig: Senate Bill No. 537—An Act to ratify, confirm, and carry into effect a certain resolution of the Board of Supervisors of the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation, and ordered printed out of order.

By Mr. Howe: Senate Bill No. 538—An Act to confer additional powers on the Board of Supervisors of the City and County of San Francisco, to provide for the opening of Howard Street, from Twenty-sixth Street to Precita Avenue.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Goodwin: Senate Bill No. 539—An Act to amend an Act entitled an Act to provide for funding the indebtedness of the Reclamation and Levee Districts of the State, approved March thirtieth, eighteen hundred and seventy-two.

Read first and second times, and referred to the Committee on Public Lands.

Joint Resolutions were offered, as follows:

By Mr. Fowler: Senate Joint Resolution No. 46—Relative to the establishment of a daily instead of a tri-weekly mail service from the Town of Kingsburg, in Fresno County, to Grangeville, in Tulare County.

Also, Senate Joint Resolution No. 47—Relative to the establishment of a mail route, with semi-weekly service thereon, from the City of Visalia, by way of Townsend's, to Fairview, in Tulare County, California.

By Mr. Ream: Senate Joint Resolution No. 48—Relative to an increase of the mail service from Redding, in Shasta County, to Alturas, in Modoc County, California.

Each of the above read first and second times.

Rules suspended, considered engrossed, and severally read third time, and passed.

MOTIONS AND RESOLUTIONS.

On motion of Mr. Craig, Senate Bill No. 472 was continued as a special order, and postponed to Friday next, at one o'clock p. m.

By Mr. Beazell:

Resolved, That Senate Bill No. 510 be engrossed out of order.

Adopted.
By Mr. Craig:

Resolved, That Senate Bill No. 425 be engrossed out of order.

Adopted.

GENERAL FILE.

Senate Bill No. 38—An Act to amend an Act entitled an Act for the appointment of Inspector of Stationary Steam-boilers and Steam-tanks, and for the better security of life and property in the City and County of San Francisco, approved March twenty-seventh, eighteen hundred and seventy-six.

Was withdrawn by Mr. Craig, the author of the bill, by general consent.

Senate Bill No. 140—An Act to repeal an Act for the appointment of Inspector of Stationary Steam-boilers and Tanks, and for the better security of life and property in the City and County of San Francisco, and

Substitute for Senate Bill No. 140—An Act to amend an Act entitled an Act for the appointment of Inspector of Stationary Steam-boilers and Steam-tanks, and for the better security of life and property in the City and County of San Francisco, approved March twenty-seventh, eighteen hundred and seventy-six.

Substitute adopted.

Mr. Montgomery moved to recommit the bill, with instructions to amend, to make the bill applicable to the whole State.

Lost.

Mr. Craig moved to suspend the rules, to consider the bill engrossed, and place it on its final passage.

On which the ayes and noes were demanded by Messrs. Pierson, McCoppin, and Howe, and the motion prevailed by a vote, as follows:

AYES—Messrs. Beazell, Bones, Boring, Boyston, Brown of Amador, Craig, Curtis, Evans, Flint, Goodwin, Haymond, Hilborn, Lambert, Lewis, McCarthy, McGarvey, Montgomery, Murphy of San Francisco, Satterwhite, Searls, Shirley, and Smith—22.

NOES—Messrs. Brown of El Dorado, Coleman, Dean, Donovan, Fowler, Gwin, Hill, Howe, McCoppin, Pierson, and Ream—11.

Read third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Howe, McCoppin, and Pierson, and it passed by a vote, as follows:

AYES—Messrs. Beazell, Bones, Boring, Boyston, Brown of Amador, Craig, Curtis, Dean, Evans, Flint, Goodwin, Haymond, Hilborn, Hill, Lambert, Lewis, McCarthy, Montgomery, Murphy of San Francisco, Searls, Shirley, and Smith—22.

NOES—Messrs. Brown of El Dorado, Coleman, Donovan, Fowler, Howe, McCoppin, McGarvey, Pierson, Ream, Satterwhite, and Whitney—11.

Mr. Ream submitted a report, as follows:

SENATE CHAMBER.
SACRAMENTO, March 12th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 501—An Act to confer further powers upon the New City Hall Commissioners for the City and County of San Francisco.

Also, Senate Bill No. 357—An Act to provide for the appointing of an additional Deputy Clerk for the Justices' Court of the City and County of San Francisco.

D. REAM, for the Committee.

SPECIAL ORDER—SET FOR TWELVE O'CLOCK M.

Was now taken up.

Senate Bill No. 503—An Act to amend Chapter I, Title XV. of the Penal Code, relating to violations of the laws for the preservation of fish and game, and

Senate Bill No. 532—An Act to amend section six hundred and forty-two of the Political Code, respecting the duties of the Fish Commissioners.

Senate Bill No. 503.

Amended.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 532.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 455—An Act creating the Twenty-third Judicial District, and defining the Third and Twelfth Districts.

Amended.

Rules suspended, considered engrossed, read third time.

On the passage of the bill, the roll was called, and it passed the Senate by the following constitutional majority.

AYES—Messrs. Bengell, Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Crocker, Curtis, Daneyan, Evans, Flint, Fowler, Goodwin, Gowan, Haymond, Hibborn, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Numan, Pierson, Ream, Rogers, Satterwhite, Searis, Shirley, Smith, and Whitney—35.
 NAYS—None.

The rules were further suspended, and the bill ordered to the Assembly without engrossment.

[Mr. Murphy of San Francisco in the chair.]

Bills were introduced, by leave, as follows:

By Mr. McCoppin: Senate Bill No. 540—An Act to authorize the Board of Supervisors of the City and County of San Francisco to appropriate money for the improvement of Alamo Square, in said city and county.

Read first and second times, and referred to the San Francisco delegation.

By Mr. McGarvey: Senate Bill No. 541—An Act for the relief of purchasers of State lands.

By Mr. Lewis: Senate Bill No. 542—An Act to amend section three thousand five hundred and fifteen of the Political Code, relating to certificate of purchase.

The above bills, each, read first and second times, and referred to the Judiciary Committee.

Also, Senate Bill No. 543—An Act to provide for the appointment of an official Reporter for the Second Judicial District, for the County Court of the County of Tehama, and to provide for his compensation.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

Ordered to the Assembly without engrossment.

By Mr. Brown of Amador: Senate Bill No. 544—An Act to provide for the construction of a railroad from Ione, in the County of

Amador, to a point in or near the Towns of Sutter Creek or Jackson, in said county, and to regulate fares and freights.

Read first and second times, and referred to the Committee on Corporations.

By Mr. Pierson: Senate Bill No. 545—An Act to provide for the appointment of a Peanut Inspector in towns and cities of more than one inhabitant.

Read first and second times, and referred to the Judiciary Committee, with instructions to report the same to-morrow morning.

By Mr. Smith: Senate Bill No. 546—An Act to amend sections three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety, and three thousand seven hundred and ninety-seven of the Political Code.

Read first and second times, and referred to the Judiciary Committee.

Mr. Goodwin, for the delegation, verbally reported, recommending its passage, Assembly Bill No. 570—An Act to authorize the Auditor and Treasurer of Sutter County to cancel certificate of the Register of the State Land Office, and also certain Controller's warrants.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

GENERAL FILE RESUMED.

Senate Bill No. 23—An Act to create and establish a Board of Public Works for the City and County of San Francisco, and to abolish the offices of City and County Surveyor and Superintendent of Public Streets, and Highways, and Squares.

The printed bill was substituted for the original.

Reported from the committee with sundry amendments to the various sections of the bill, and with the recommendation that it be indefinitely postponed.

On which the ayes and noes were demanded by Messrs. McCarthy, Craig, and Donovan, and the motion prevailed by a vote, as follows:

AYES—Messrs. Beazell, Boyston, Brown of Amador, Curtis, Donovan, Flint, Goodwin, Gwin, Lambert, McCarthy, Montgomery, Nunan, Pierson, Ream, Rogers, Searls, and Shirley—17.

NOES—Messrs. Bones, Craig, Dean, Fowler, Haymond, Howe, Murphy of San Francisco, and Whitney—8.

Mr. Nunan gave notice of a motion to reconsider the vote by which the bill was indefinitely postponed.

Mr. Lewis, for the San Luis Obispo delegation, verbally reported, recommending its passage, Assembly Bill No. 331—An Act empowering the Board of Trustees of Arroyo Grande School District, in San Luis Obispo County, to issue bonds for certain purposes, and to provide for the redemption thereof.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

Mr. Lambert, for the Committee on Federal Relations, verbally reported, recommending its passage as amended, Assembly Joint Resolution No. 45—Relative to soldiers in California before gold was discovered.

Rules suspended, and the resolution taken up for consideration.

Amendments adopted.

Read third time, and passed.

Mr. Smith submitted the following report:

MR. PRESIDENT: The Los Angeles delegation, to which was referred Assembly Bill No. 596—has had the same under consideration, and reports the same back with amendments, and recommends that it pass as amended.

GEORGE H. SMITH.

Rules suspended, and the bill, above reported, taken up.

Amendments adopted.

Read third time, and passed.

GENERAL FILE RESUMED.

Assembly Bill No. 318—An Act amendatory of and supplemental to an Act entitled an Act to create a City Criminal Court in and for the City and County of San Francisco, to define its powers and jurisdiction, approved April third, eighteen hundred and seventy-six.

Amendments adopted.

Read third time, and passed.

Senate Bill No. 467—An Act to amend section seven hundred and ninety-eight of the Political Code, in relation to fees of Notaries Public.

On motion of Mr. Smith, re-referred to the Judiciary Committee.

ADJOURNMENT.

At three o'clock and fifty minutes p. m., on motion of Mr. Beazell, the Senate adjourned.

IN SENATE.

SENATE CHAMBER.

WEDNESDAY, March 13th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McClappin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Numan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

The Journal of yesterday not read, and approved, on motion of Mr. Lambert.

PETITIONS.

Petitions were presented, as follows:

The President presented a report of the Ladies' Benevolent and

Relief Association, Placerville, asking to be continued on the appropriation list.

Received, and referred to the Committee on Finance and Claims.

By Mr. Howe—A remonstrance from ship owners, merchants, and others interested in the commerce of the Port of San Francisco, against the passage of a bill amending the Code, relating to the pilot laws of this State, or the passage of any law by which the pilot expenses of the port shall be increased.

Received, and referred to the Committee on Commerce and Navigation.

On motion of Mr. Murphy of San Francisco, the rules were suspended, and Senate Bill No. 489 was taken from the general file and referred, with the petition, to the Committee on Commerce and Navigation.

On motion of Mr. Lewis, the rules were suspended, and Senate Bills Nos. 451 and 452 ordered to the Assembly forthwith without engrossment.

REPORTS.

Reports were submitted, as follows:

By Mr. Satterwhite:

REPORT OF COMMITTEE ON IRRIGATION AND WATER RIGHTS.

MR. PRESIDENT: Your Committee on Irrigation and Water Rights, to whom was referred Assembly Bill No. 73—An Act to create an Irrigation District, embracing certain portions of the Counties of San Joaquin, Stanislaus, Merced, and Fresno—have had the same under consideration and report it back with various amendments.

The amendments to section one are recommended for adoption by a majority of your committee, and their object is to exclude, from the district created by the bill, a canal already constructed for a distance of about seventy miles, known as the San Joaquin and King's River Canal, and the lands which are irrigated by that canal.

A majority of your committee entertain some doubts whether the Legislature can direct the taking of the property of the San Joaquin and King's River Canal and Irrigation Company, by process of condemnation, in view of the fact that it cannot be used for any higher or more useful public purpose than it now serves. But conceding the power to exist, it is deemed impolitic to authorize the taking.

The Directors of this corporation have appeared before your committee, and have asked it to recommend the indefinite postponement of this bill, or to exclude their property from its operations.

Your committee are unanimous in recommending the passage of the bill; but a majority of your committee think that its provisions will not be successfully carried out if the amendments to section one be not adopted, and the canal property and the lands watered by it be not excluded.

Taking property for public use by operation of law is, under any circumstances, a tedious and costly process; but when both the right and the necessity for such taking are denied, and the proceedings are contested step by step by able and experienced counsel, the delay and expense are necessarily very much increased.

If this canal be not left out then the Commissioners, to be elected under the provisions of this bill, must proceed to appropriate it, by suit for its condemnation, which will be resisted by the managers of the canal corporation, who will in turn inaugurate judicial proceedings to restrain the acts of the Commissioners, and thus, at the very outset, the machinery of the bill will be clogged, and its operation be delayed, if not finally prevented.

The evidence adduced before your committee shows the cost of the San Joaquin and King's River Canal, including interest, to be one million three hundred thousand dollars; if, therefore, the Court before which proceedings in eminent domain are had should decree that the property may be lawfully taken, it is not probable that it will be obtained for much less than its cost, so that nearly one-half the amount authorized to be raised by the bill will be devoted to the purchase of this property.

If this should be the result, and the amount required for this purchase is withdrawn from the fund designed for the construction of the main canal, it is doubtful whether the objects of the bill can be accomplished without coming again to this Legislature and obtaining authority to issue more bonds, which could only be secured by a second mortgage upon the property of the district, and would necessarily be disposed of at a considerable discount, thus placing a debt upon the district which would far exceed the actual cash value of all its property.

And while the question whether the Commissioners could acquire the San Joaquin and King's River Canal was pending, it would not be advisable to commence the construction of the main work, because it would not be known how much of the fund would be available for the purpose.

By leaving out the canal and the lands watered by it, all interests will be harmonized, a costly and almost indefinite litigation prevented, and the Commissioners, charged with the execution of the provisions of the bill, will be enabled at once to proceed to the discharge of their duties without hindrance.

On all the other amendments, herewith reported, your committee is unanimous, and respectfully recommend the passage of the bill as thus amended.

SATTERWHITE, Chairman.

The rules were suspended, and the bill, above reported, taken up and made a special order for Friday next, at twelve o'clock M.

By Mr. Ream :

MR. PRESIDENT: The Siskiyou and Modoc delegation, to whom was referred Assembly Bill No. 621, have had the same under consideration, report the same back, and recommend its passage.

D. REAM, for Delegation.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

By Mr. Crane :

MR. PRESIDENT: Having had under consideration Assembly Bill No. 122—In relation to roads and highways in Butte County—report the same back with amendments, and recommend the passage of the bill as amended.

W. H. CRANE, Delegation.

Rules suspended, and the bill taken up for consideration.

Amendments adopted.

Read third time, and passed.

Mr. Curtis, for the delegation, verbally reported, recommending its passage, Senate Bill No. 528—An Act relative to the Board of Supervisors of Sacramento.

Rules suspended, and the bill taken up for consideration.

Considered engrossed, read third time, and passed.

Mr. Flint, for the delegation, verbally reported, recommending its passage, Assembly Bill No. 614—An Act entitled an Act to amend an Act fixing the terms of the members of the Board of Supervisors of Monterey County, and other purposes, approved March third, eighteen hundred and seventy-six.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

ASSEMBLY MESSAGE.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, March 12th, 1878. }

MR. PRESIDENT: I have been directed to return to your honorable body Assembly Bill No. 503—An Act to amend an Act to regulate the traveling fees of the Sheriffs of the Counties of Inyo and Alpine, and of the Constables of said counties, in accordance with your request.

E. L. CRAWFORD, Assistant Clerk.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows:

By Mr. Curtis: Senate Bill No. 547—An Act relative to the Board of Trustees of the City of Sacramento.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed, and ordered to the Assembly without engrossment.

By Mr. Boring: Senate Bill No. 548—An Act to amend section two thousand five hundred and thirty-nine of the Political Code.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Goodwin: Senate Bill No. 549—An Act to amend an Act entitled an Act to define the boundary, provide for the care, strengthening, and repairing of the levee, and for the payment of the indebtedness of Levee District Number One, of Sutter County, approved March twentieth, eighteen hundred and seventy-four.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

By Mr. Flint: Senate Bill No. 550—An Act to provide a sufficient number of deputies for the County Assessor of Santa Cruz County.

Read first and second times, and ordered on the general file.

By Mr. Bones: Senate Bill No. 551—An Act to regulate the fees of certain officers in the County of Alameda.

Read first and second times, and referred to the Alameda County delegation.

By Mr. Beazell: Senate Bill No. 552—An Act to amend section five hundred and forty-two of the Code of Civil Procedure.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Smith (by request): Senate Bill No. 553—An Act in relation to Indian war bonds of the State of California.

Read first and second times, and referred to the Committee on Finance and Claims.

By Mr. Hilborn: Senate Bill No. 554—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure.

Read first and second times, and referred to the Judiciary Committee.

MOTIONS AND RESOLUTIONS.

Mr. Haymond offered a resolution providing for paying Edward Duffy sixteen dollars for services as Porter at the commencement of the session.

Referred to the Committee on Contingent Expenses.

On motion of Mr. Evans, the amendment to Standing Rule Thirty-three was taken up.

The amendment was adopted as entered in the Journal of the eighth instant.

Mr. Nunan, in accordance with previous notice, moved to reconsider the vote by which Senate Bill No. 23 was indefinitely postponed, on yesterday.

The motion was made a special order for Tuesday next, at one o'clock P. M.

SPECIAL ORDER,

Set for half-past eleven o'clock A. M., was taken up.

Motion to reconsider the vote by which the Senate refused to engross Senate Bill No. 430—An Act to create a bureau of labor and statistics of labor in the State of California.

On the motion to reconsider the vote, the ayes and noes were demanded by Messrs. Pierson, Rogers, and Dean, and the motion prevailed by a vote, as follows:

AYES—Messrs. Beazell, Bones, Boring, Brown of El Dorado, Craig, Crane, Dean, Donovan, Evans, Haymond, Hilborn, Hill, Lambert, Lewis, Nunan, Pierson, Rogers, and Whitney—18.
 NOES—Messrs. Boyston, Curtis, Flint, Gwin, Howe, McCarvey, Montgomery, Murphy of Santa Clara, Ream, and Satterwhite—10.

The bill was amended, on motion of Mr. Lambert.

The question recurring on the engrossment of the bill, the ayes and noes were demanded by Messrs. Satterwhite, Craig, and Boring, and it was ordered engrossed by a vote, as follows:

AYES—Messrs. Beazell, Bones, Boring, Coleman, Craig, Crane, Dean, Donovan, Evans, Haymond, Hill, Lambert, Lewis, McCoppin, Murphy of San Francisco, Murphy of San Luis Obispo, Nunan, Rogers, Searls, Smith, and Whitney—21.

NOES—Messrs. Boyston, Brown of Amador, Curtis, Flint, Fowler, Gwin, Howe, McCarthy, Montgomery, Ream, and Satterwhite—11.

On motion of Mr. Craig, the special order set for twelve o'clock M., Senate Bill No. 437, was postponed until to-morrow, at the same hour.

Mr. Murphy of San Francisco offered a resolution, as follows:

Resolved, That the resolution passed in the Senate, January fifth, eighteen hundred and seventy-eight, be amended to read as follows, viz:

Resolved, That the Printing Committee of the Senate be and they are hereby authorized to employ a Messenger, whose duty it shall be to receive all matters that are to be printed from the Secretary of the Senate, and transmit the same to the State Printer and receive his receipt for the same; and the Messenger to also receipt to the Secretary of the Senate for all documents that may come to his hands. He shall receive the same pay as the Assistant Clerks at the desk, and drawn from the Contingent Fund of the Senate: be it further

Resolved, That this resolution shall take effect from January fifth, eighteen hundred and seventy-eight, and be substituted for the resolution in reference to a Clerk of the Printing Committee, passed on that date.

Adopted.

INTRODUCTION OF BILLS

Bills were introduced, to be numbered as follows:

By Mr. McCoppin: Senate Bill No. 555—An Act to amend section twenty of an Act entitled an Act repealing article four of an Act entitled an Act to repeal the several charters of the City and County of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved April nineteenth, eighteen hundred and fifty-six, and all Acts and parts of Acts amendatory thereof and supplementary thereto, approved April first, eighteen hundred and seventy-two.

Read first and second times, and, with a memorial accompanying the same, referred to the San Francisco delegation.

By Mr. Shirley: Senate Bill No. 556—An Act to provide for the extermination of squirrels in the State of California.

Read first and second times, and referred to the Committee on Agriculture.

By Mr. Hill: Senate Bill No. 557—An Act to appropriate money for the relief of General John A. Sutter.

Read first and second times, and referred to the Committee on Claims.

By Mr. Murphy of Santa Clara: Senate Bill No. 558—An Act to amend sections five hundred and forty-two and five hundred and forty-five of the Code of Civil Procedure.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Gwin: Senate Bill No. 559—An Act to provide for the care and maintenance of the indigent sick of Tuolumne County.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

Ordered to the Assembly without engrossment.

By Mr. Nunan: Senate Bill No. 560—An Act to confer additional powers on the Board of Supervisors of the City and County of San Francisco, in relation to accepted streets.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Crane: Senate Bill No. 561—An Act to amend an Act, approved April first, eighteen hundred and seventy-six, entitled an Act to extend the Act of April twenty-first, eighteen hundred and fifty-six, approved April first, eighteen hundred and sixty-four.

Read first and second times, and ordered on the general file.

By Mr. Murphy of San Luis Obispo: Joint Resolution No. 49—Relative to the construction of a breakwater at the Port of Santa Barbara, and asking aid from the General Government therefor.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

SPECIAL ORDER—SET FOR ONE O'CLOCK P. M.

Senate Bill No. 477—An Act to regulate the retail liquor traffic within the State of California.

Amendments concurred in.

Referred to the Judiciary Committee.

On motion of Mr. Donovan, the rules were suspended, and Senate Bill No. 497 taken from the general file, and referred to the Judiciary Committee.

GOVERNOR'S MESSAGE.

The following message was received from the Governor:

To the Senate of the State of California:

I herewith respectfully return to your honorable body Senate Bill No. 252, entitled—An Act to provide for the payment of the expenses of the Seventh Street Commission, in and for the City and County of San Francisco—without my approval.

At the session of the Legislature of eighteen hundred and seventy-five and seventy-six, an Act was passed providing for the opening, grading, macadamizing, and improving a public street in the City and County of San Francisco, to be called "Seventh Street." The Act created a Board of Commissioners, under whose direction and supervision the public improvement therein provided for was to be made, and defined the district which was to be charged with the cost of making it.

An inspection of the Act will show that the Board of Supervisors of the City and County of San Francisco, which is the legislative branch of the municipal government, was not required, as a condition precedent to the making of the improvement, to sanction, or in any manner give their assent to, the proposed improvement. The improvement was ordered by the Legislature, and the will of the local government with respect to it was entirely ignored. For this reason,

the Act was declared unconstitutional, the Court holding, in consonance with the doctrine of the *People vs. Lynch*, that the Legislature could not order or direct improvements of this character to be made within a municipality. The Legislature may, according to said decision, authorize the body within the municipality, clothed with the legislative power of such municipality to make such improvements, or order them to be made, but cannot itself order them made. In the next place, it must be observed that the cost of making this improvement was not to be a charge on the whole property of the city and county, but on the property within a circumscribed district in the immediate locality of the improvement. Why was this? Manifestly because, in the judgment of the Legislature which ordered the improvement, it would be equitable to require the property of a district which would be enhanced in value by the improvement to bear the cost of such improvement, while it would not be equitable to charge property for an improvement which would not be benefited by it. It is clear, also, that it was the judgment of the Legislature that this proposed improvement was not one of the character which could properly be paid for out of the city treasury; otherwise it would have provided that it should be a charge on the whole property of the city. We cannot suppose that the Legislature would be guilty of the injustice of imposing on a small district what in equity should be a charge against the whole city. Clearly, then, if the Act ordering this improvement had been constitutional, and the improvement had been made as provided for in the Act, the cost of the improvement could have been charged *equitably*, as well as legally, only against the property of the locality benefited thereby. I take it, that it will not be claimed by any one, that this cost could be *equitably* charged, indifferently on the property of the district, or the property of the whole city.

Now, are the equities, with respect to the costs that accrued under the Act before it was declared unconstitutional, changed by the fact that the Act was declared unconstitutional, and the improvement never completed? If the cost of the improvement, when completed, could not equitably have been paid out of the city treasury, by what process of reasoning can it be shown that the cost of an inconsiderable part of the work on the improvement—the mere commencement of the improvement—can be so paid? Had the improvement been completed, it might have been that all parts of the city would have received some money of benefit from it, which would have laid a shadow of a foundation in equity for saddling on the city the cost of it. As it is, however, the city has received no benefit whatever, as an equitable foundation for charging the expenses of the Commission against the city treasury.

It will be asked, however, are not the parties, who rendered services under the Act of the Legislature, directing this improvement to be made, equitably entitled to compensation? Undoubtedly their case is a hard one.

But, because one is equitably entitled to compensation from A, but cannot collect from A what is equitably due him, does it follow that he ought to be assisted or authorized to collect what A owes him from B? Before he ought, in any event, to be permitted to acquire a legal right to collect from B, he should be required to show some equitable claim against him, as the basis of such legal right. In the case under consideration, it is impossible that this should be done, for no improvement was perfected from which the city at large could derive any benefit. It may be alleged that this Act lays a foundation for a legal claim against the city treasury in this: that it provides that the Commissioners, who were charged with the making of this improvement, shall deliver to the Board of Supervisors of the City and County of San Francisco all books, papers, maps, diagrams, and other property and data in the possession of such Commissioners.

These books, papers, etc., the making and obtaining of which have cost the sum which it is now proposed to charge on the treasury of the city, must be valuable chiefly, and perhaps solely, for the use that can be made of them in going on with, and completing the improvement, to aid which they were made. For these uses, they may be worth all it has cost to procure them. And if it were proposed now to go on and complete the opening and improvement of "Seventh Street," at the expense of the city treasury, I should deem it legitimate to pay for them from the city treasury all they would be worth to the city in prosecuting that improvement. But unless this improvement is to be made at the expense of the city, it is difficult to see what interest the city can have in purchasing this property. If equity requires that this improvement shall be made at the expense of the property in the locality which will be benefited by it, it cannot require also that the city shall take upon itself the burden of relieving such property of the expense of procuring the maps, etc., necessary in prosecuting the work.

Now, it happens that the present Legislature has passed an Act authorizing the Board of Supervisors of the City and County of San Francisco to open, etc., the said "Seventh Street;" but by making the cost thereof a charge on the property in the locality, not on the city at large.

I now summarize, as follows:

First—The Legislature ordered this improvement to be made, regardless of what the will of the municipal authorities respecting it might be.

Second—It ordered it done for the benefit of a district in San Francisco, not for the benefit of the whole city.

Third—The Legislature created the agency through which the improvement was to be made. The fact that the Commission was composed of three officers of the municipal government is quite immaterial, as their functions, as Commissioners, were derived wholly from the Act of the Legislature ordering the improvement.

In support of the views presented above, I will venture to introduce some of the reasoning of the Supreme Court in *Hoagland vs. the City of Sacramento*.

In eighteen hundred and sixty-two, the Legislature created a Board of Levee Commissioners for the City of Sacramento. As in the case of Seventh Street Commissioners, these Commissioners derived all their authority from the Act of the Legislature; and by said Act they were directed what they should do. In pursuance of these directions, the Commissioners opened a new channel for the American River, through which it should thereafter flow into the Sacramento. One of the alleged results of this change in the channel of the American River was the destruction of certain property in Yolo County, belonging to Hoagland and others. This change in the river, be it observed, was made, declaredly, for the protection of Sacramento City, and the cost of the work was paid out of the treasury of the city.

At the session of the Legislature of eighteen hundred and seventy-five and seventy-six, an Act was passed authorizing Hoagland and others to sue the City of Sacramento for damages resulting from the change made in the outlet of the American River by the Sacramento Levee Commissioners.

In their opinion, denying the claim for damages, the Court say: "The canal having been constructed by agencies wholly foreign to the city government, and acting independently of its control, it is difficult to discover upon what grounds it could be said that a claim for damages, of which the canal was the remote cause, existed against the city in favor of the plaintiff.

It is conceded that, except for the Act of March eleventh, the plaintiff held no claim for compensation against the city which was capable of enforcement in the Courts.

What claim, then, did he have *in foro conscientia*, or in equity—even in the most unrestricted sense in which that term is used—to be compensated by the city for the losses he had sustained? We have seen already that the construction of the canal was not the act of the city, nor does it even appear by the record to have been constructed upon her petition or solicitation, or even with her consent or approbation. The work was directly originated and conducted by the State, through the agencies provided by the statute of eighteen hundred and sixty-two, enacted by the Legislature for that purpose; and had the city by any legal means attempted to prevent or control it, she must have failed in doing so. The mere proximity of the city to the line of the canal, and the fact that its completion operated in a measure to protect her from the overflow of the American River, do not create a liability upon her part to compensate the plaintiff for the benefits she has received, like the damages the plaintiff has sustained, are but the incidents, not unusual or extraordinary, arising from the construction of public works or improvements by the government.

In this view, it is clear that the Act of March eleventh is one in excess of the legislative authority, and cannot be supported; while the legislative power may, as it frequently does, interpose to furnish a remedy or remove an impediment, which prevents the enforcement of a legal or equitable right or duty already existing, it cannot, even against a municipal corporation, create a claim without the consent of those who are to be taxed with its payment. Such a procedure, while taking on the form of a statutory enactment, would amount to mere spoliation. "So he who was never bound, either legally or equitably, cannot have a demand created against him by mere legislative enactment." (Cooley's Constitutional Law, 669.) This may be stated as the grand result of the authorities in which the power of the Legislature to enact retrospective laws is considered.

WILLIAM IRWIN, Governor.

On motion of Mr. Murphy of Santa Clara, the message of the Governor was made a special order for two o'clock p. m., to-morrow.

On motion of Mr. Lambert, Senate Bill No. 377 was ordered at the foot of the general file for to-morrow.

Mr. Ream submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, March 13th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 510—An Act to provide for the opening of streets in the City of Oakland.

D. REAM, for the Committee.

ADJOURNMENT.

At two o'clock and fifteen minutes p. m., on motion of Mr. McCarthy, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
THURSDAY, March 14th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Helborn, Hill, Howe, Lambert, Lewis, McCoppen, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Numan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

The Journal of yesterday not read, and approved, on motion of Mr. Murphy of San Francisco.

REPORTS.

Reports were submitted, as follows:

By Mr. McGarvey:

MR. PRESIDENT: The Judiciary Committee, to whom was referred Senate Bill No. 415—An Act relative to the Attorney-General and District Attorneys—report the same back, and recommend its passage.

Also, Senate Bill No. 26—An Act to amend section two hundred and ninety-nine of the Civil Code—report the same back, with the recommendation that it be returned to the Assembly, with the request that we be informed in what portion of the bill the amendment is to be inserted.

Also, Senate Bill No. 486—An Act to amend an Act entitled an Act to amend an Act to provide for official valuation of life insurance policies, approved April fourth, eighteen hundred and seventy, approved February thirteenth, eighteen hundred and seventy-two—report the same back, and recommend its passage.

Also, Senate Bill No. 518—An Act to amend the Political Code of the State of California, by adding a new section thereto—report the same back, and recommend that it do not pass.

Also, Senate Bill No. 526—An Act to amend section one thousand one hundred and eighty-three of the Code of Civil Procedure—report the same back, a majority recommending its passage.

Also, Assembly Bill No. 605—An Act for the relief of W. W. Hill, late Treasurer of the County of Fresno—report the same back, and recommend its passage.

McGARVEY, Chairman.

Senate Bill No. 26 was ordered returned to the Assembly, for the correction mentioned in the report.

By Mr. Ream:

MR. PRESIDENT: The Committee on Hospitals, to whom was referred Assembly Bill No. 500—have had the same under consideration, report it back, and recommend its passage as amended.

HOSPITAL COMMITTEE.

Rules suspended, and the bill, above reported, taken up for consideration.

Amendment adopted.

Read third time, and passed.

Mr. Smith, for the delegation, verbally reported Assembly Bill No.

648, recommending that the bill be printed out of order, and re-referred to the Los Angeles delegation—An Act to regulate fees and salaries in the County of Los Angeles.

So ordered.

The following bills were verbally reported, and passage recommended.

By Mr. Flint: Assembly Bill No. 532—An Act for the relief of J. B. Scott.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

By Mr. Pierson, for the Committee on Public Lands: Assembly Bill No. 242—An Act to legalize assessments in Swamp Land District Number Two Hundred and Twenty-one, and to provide for the collection of taxes.

Also, Senate Bill No. 368—An Act to quiet title to land in the County of Yolo.

By Mr. Murphy of San Luis Obispo: Assembly Bill No. 562—An Act fixing the fees and compensation of the District Attorney of the County of San Luis Obispo.

By Mr. Murphy of Santa Clara: Assembly Bill No. 103—An Act to repeal an Act entitled an Act to protect the public roads in Santa Clara County.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

ASSEMBLY MESSAGE.

The following message was received from the Assembly:

ASSEMBLY CHAMBER.
SACRAMENTO, March 13th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, passed, and ordered transmitted without engrossment, Assembly Joint Resolution No. 66—Relative to the Klamath Reservation.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Joint Resolution No. 66, above reported.

Read first and second times, and rules suspended, and the resolution taken up for consideration.

Read third time, and passed.

MOTIONS AND RESOLUTIONS.

Mr. Hill offered a resolution, as follows:

Resolved, That the Engrossing Clerk be instructed to correct Senate Bill No. 457—An Act to amend an Act to establish a Board of Commissioners for the former Pueblo or City of Sonoma, etc., by inserting an enacting clause and the words "section one."

Adopted.

Mr. Dean, rising to a question of privilege, stated that he was credited with being the author of substitute to Senate Bill No. 297, which was not the case, and he desired the record to show the fact.

So ordered.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows:

By Mr. Hilborn: Senate Bill No. 562—An Act to amend section two hundred of the Code of Civil Procedure.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Whitney: Senate Bill No. 563—An Act supplementary to and amendatory of an Act to authorize the erection and maintenance of a draw-bridge across Petaluma Creek, in the City of Petaluma.

Read first and second times, and referred to the Sonoma County delegation.

By Mr. Ream: Senate Bill No. 564—An Act to authorize the Board of Trustees of Scott's Valley School District, in the County of Siskiyou, to borrow money for the purpose of erecting a school house, furnishing the same, and improving the grounds upon which the same may be located.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

Ordered to the Assembly without engrossment.

By Mr. Craig: Senate Bill No. 565—An Act for the relief of bondsmen herein named.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed, and ordered to the Assembly without engrossment.

By Mr. Pierson: Senate Bill No. 566—An Act to amend section two thousand five hundred and forty-eight of the Political Code.

Read first and second times, and referred to the Committee on Commerce and Navigation.

By Mr. Goodwin: Senate Bill No. 567—An Act to amend an Act entitled an Act to re-incorporate the City of Marysville, approved March seventh, eighteen hundred and seventy-six.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed, and ordered to the Assembly without engrossment.

By Mr. Rogers: Senate Bill No. 568—An Act to regulate the boxing, stamping, and sale of cigars made in the State of California.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Bones: Senate Bill No. 569—An Act to provide for the maintenance of the indigent sick and poor within the City of Oakland.

Read first and second times, and referred to the Committee on Hospitals.

GENERAL FILE.

Senate Bill No. 443.

Passed on file.

Senate Bill No. 441—An Act to amend section three thousand four hundred and sixty-nine of the Civil Code of the State of California.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 399—An Act to appropriate money to assist in the purchase of land and the construction of buildings thereon, in the County of Los Angeles, to be used as a County Hospital and farm. Indefinitely postponed.

Assembly Bill No. 468—An Act to amend an Act entitled an Act to provide for the payment of certain bonds of the County of Lake, approved March twenty-eighth, eighteen hundred and seventy-four, approved March twenty-third, eighteen hundred and seventy-six.

Read third time, and passed.

Assembly Bill No. 569—An Act to amend an Act entitled an Act to provide for the building of a school house in Merced School District, in the County of Merced, approved February eighteenth, eighteen hundred and seventy-four.

Read third time, and passed.

Assembly Bill No. 573—An Act to grant to George E. Isaacs, and his assigns, the right to supply the inhabitants of the Town of Merced with fresh water.

Read third time, and passed.

On motion of Mr. Craig, the special order set for twelve o'clock M. —Senate Bill No. 437—was postponed until to-morrow, at the same hour.

Senate Concurrent Resolution No. 33—In relation to the funded indebtedness of the State.

Mr. Murphy of San Francisco moved to lay the resolution on the table.

On which the ayes and noes were demanded by Messrs. Pierson, Dean, and Murphy of San Francisco, and the Senate refused by a vote, as follows:

AYES—Messrs. Bones, Boring, Boyston, Hill, Lambert, Lewis, McCarthy, Montgomery, Murphy of San Francisco, Satterwhite, and Shirley—11.

NOES—Messrs. Beazell, Brown of Amador, Brown of El Dorado, Coleman, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Hilborn, Howe, McCoppin, McGarvey, Murphy of San Luis Obispo, Murphy of Santa Clara, Numan, Pierson, Searls, and Smith—23.

Rules suspended, considered engrossed, and the resolution placed on its passage.

Read third time.

On the passage of the resolution, the ayes and noes were demanded by Messrs. Evans and Lewis, and the Senate refused to pass the resolution by a vote, as follows:

AYES—Messrs. Brown of El Dorado, Crane, Dean, Evans, Flint, Fowler, Goodwin, Hilborn, Murphy of Santa Clara, Pierson, Searls, and Whitney—12.

NOES—Messrs. Boring, Boyston, Brown of Amador, Coleman, Curtis, Donovan, Hill, Lambert, Lewis, McCarthy, McGarvey, Montgomery, Murphy of San Francisco, and Satterwhite—14.

SPECIAL ORDER—SET FOR TWO O'CLOCK,

Was now taken up.

Governor's message, with his reasons for withholding his approval of Senate Bill No. 252—An Act to provide for the payment of the Seventh Street Commission, in and for the City and County of San Francisco.

On motion of Mr. Pierson, the special order was postponed until Saturday next, at eleven o'clock and thirty minutes A. M.

Mr. Bones submitted a report, as follows :

MR. PRESIDENT: The Alameda delegation, to whom was referred Assembly Bill No. 389—An Act to incorporate the Town of Berkeley, in Alameda County—report the same back with certain amendments, and recommend its passage as amended.

J. W. BONES.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows:

By Mr. Lewis: Senate Bill No. 570—An Act to amend an Act entitled an Act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-one.

Also, Senate Bill No. 571—An Act to repeal section four hundred and seventy-one of the Civil Code.

Each of the above bills read first and second times, and referred to the Judiciary Committee, with instructions to report the same to-morrow morning.

By Mr. Craig: Senate Bill No. 572—An Act to amend section two hundred and forty-eight of the Political Code.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Smith: Senate Bill No. 573—An Act relative to highways in Los Angeles County.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

Ordered to the Assembly without engrossment.

By Mr. Donovan: Senate Bill No. 574—An Act to amend section six hundred and twenty-eight of the Civil Code.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Gwin: Senate Bill No. 575—An Act to regulate the fees of Constables in the County of Calaveras.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

Ordered to the Assembly without engrossment.

Mr. Smith, for the delegation, verbally reported Assembly Bill No. 373—An Act to provide for and to regulate irrigation in the Township of Los Nietos, in the County of Los Angeles—recommending its passage.

Rules suspended, and the bill taken up for consideration.

Amended.

Read third time, and passed.

On motion of Mr. McCoppin, Assembly Bill No. 119 was ordered at the head of the general file for to-morrow.

The following resolution was taken up, the President stating that it had been laid on his desk:

Resolved, That the mileage ordered to be paid the Committee on Fisheries and Game (as per a resolution offered by Mr. Hilborn, and adopted March ninth), be paid out of the appropriation for the contingent expenses of the Senate.

Adopted.

Mr. McCarthy submitted a report, as follows :

SENATE CHAMBER,
SACRAMENTO, March 14th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 310—An Act to increase the appropriation for the support of the Hospital and Alms-house of the City and County of San Francisco.

Also, Senate Bill No. 286—An Act granting certain privileges to the North Beach and Mission Railroad Company.

Also, Senate Bill No. 207—An Act for the relief of John A. Odell.

Also, Senate Bill No. 428—An Act respecting the Hospital of the County of Placer.

Also, Senate Bill No. 386—An Act to confer further powers on the Common Council of the City of Santa Barbara.

Also, Senate Bill No. 449—An Act to amend an Act entitled an Act to incorporate the Town of Martinez, and to provide for the government thereof, approved April first, eighteen hundred and seventy-six.

Also, substitute for Senate Bill No. 35—An Act to confirm certain letters patent of the State of California to W. F. Montgomery et al.

Also, Senate Bill No. 218—An Act to amend section one thousand five hundred and ninety of the Penal Code.

Also, substitute for Senate Bill No. 58—An Act to fix the fees of Justices of the Peace for the County of Contra Costa.

Also, Senate Bill No. 82—An Act concerning the water front of the City and County of San Francisco.

Also, Senate Bill No. 163—An Act concerning roads and highways in the County of San Benito.

Also, Senate Bill No. 1—An Act to establish and maintain free public libraries and reading rooms.

Also, Senate Bill No. 60—An Act to provide for the payment of certain coupons upon bonds issued by the Central Pacific Railroad Company, and known as State Aid Bonds.

Also, Senate Bill No. 144—An Act for the relief of Wells, Fargo & Co.

Also, Senate Bill No. 281—An Act to add a new section to the Penal Code, in relation to the adulteration of candies.

Also, Senate Bill No. 346—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board.

Also, Senate Joint Resolution No. 37—In regard to a cemetery for San Francisco.

Also, Senate Bill No. 285—An Act to amend section one thousand seven hundred and seventy of the Political Code—Relative to the County Board of Examination.

Also, Senate Bill No. 374—An Act to pay the claim of Hiram Clock.

Also, Senate Bill No. 411—An Act to authorize the Trustees of the I. O. O. F., of the City of San Francisco, to lease the lot of land, in the City of San Francisco, held by said Trustees for the I. O. O. F. of said city.

Also, Senate Bill No. 356—An Act to amend sections three thousand and seventy-four, three thousand and seventy-seven, three thousand and seventy-nine, and three thousand and eighty-one of the Political Code, and to add a new section thereto, to be numbered section three thousand and eighty-three, relative to the registry of births, marriages, and deaths.

Also, Senate Bill No. 422—An Act authorizing the Mayor and Common Council of the City of San José to establish and provide for the maintenance of a Board of Health.

Also, Senate Bill No. 343—An Act to fund certain indebtedness of Solano County.

And, this day, at one o'clock and forty-five minutes P. M., presented the same to the Governor.

McCARTHY, Chairman.

ADJOURNMENT.

At two o'clock P. M., on motion of Mr. Evans, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
FRIDAY, March 15th, 1878. }

The Senate met pursuant to adjournment.
President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boring, Boyston, Brown, of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donavan, Evans, Flint, Fowler, Goodwin, Haymond, Hilborn, H. H. Howe, Lambert, Lewis, McCarthy, McOppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

The Journal of yesterday read and approved.

Mr. Gwin was granted two days' leave of absence. Mr. Nunan was granted indefinite leave of absence.

REPORTS.

Reports were submitted, as follows:

By Mr. McGarvey:

MR. PRESIDENT: The Judiciary Committee, to whom was referred Senate Bill No. 570—An Act to amend an Act entitled an Act to provide for the incorporation of railroad companies, and the management of the officers thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-one—have had the same under consideration, and report it back, a majority recommending its passage.

Also, Senate Bill No. 571—An Act to repeal section four hundred and seventy-one of the Civil Code—report the same back, a majority recommending its passage.

Also, Assembly Bill No. 247—An Act to regulate fees of office in certain counties—report the same back, and recommend its reference to the Butte and Lassen delegations.

Also, Assembly Bill No. 622—An Act to fix the terms of the County and Probate Courts in and for the County of Modoc—report the same back, and recommend its passage.

Also, Senate Bill No. 446—An Act to amend sections three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety, and three thousand seven hundred and ninety-seven of the Political Code—report the same back, and recommend its passage.

Also, Senate Bill No. 290—An Act to amend section three thousand four hundred and forty-three of the Political Code—report the same back, and a majority recommending its passage.

Also, Senate Bill No. 513—An Act to refund to Tehama County the State's portion of taxes unlawfully collected—report the same back amended, and recommend its passage as amended.

Also, Senate Bill No. 341—An Act for the relief of purchasers of State lands—report the same back, and recommend its passage.

McGARVEY, Chairman.

Assembly Bill No. 57, above reported, was referred in accordance with the recommendation of the committee.

Senate Bill No. 570, above reported, was taken up for consideration.

Pending discussion, the hour for considering special orders, set for twelve o'clock m., arrived.

On motion of Mr. Pierson, Senate Bill No. 437 was continued as a special order for Monday next, at twelve o'clock m.

Senate Bill No. 472 was postponed, on motion of Mr. Craig, as a special order for Wednesday next, at one o'clock p. m.

Special order, Assembly Bill No. 73, was continued, by general consent, until after the order of business had been gone through with.

Senate Bill No. 570.

Continued.

Rules suspended, considered engrossed, read third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Fowler, Murphy of Santa Clara, and Satterwhite, and it passed by a vote, as follows:

AYES—Messrs. Beazell, Boyston, Brown of Amador, Brown of El Dorado, Craig, Crane, Donovan, Evans, Flint, Goodwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Rogers, Shirley, Smith, and Whitney—25.

NOES—Messrs. Bones, Boring, Coleman, Curtis, Dean, Fowler, Murphy of San Luis Obispo, Murphy of Santa Clara, Pierson, Ream, Satterwhite, and Searls—12.

Senate Bill No. 571, above reported, was now taken up.

Rules suspended, considered engrossed, read third time, and passed.
By Mr. Searls:

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Assembly Bill No. 433—An Act creating a Board of Bank Commissioners and prescribing their duties and powers—have had the same under consideration, and herewith report the same back, with sundry amendments, and recommend the passage of the bill as amended.

Also, Senate Bill No. 577—Being an Act to provide for the construction of a railroad from Ione, in the County of Amador, to a point in or near the Town of Sutter Creek or Jackson, in said county, and to regulate fares and freights therein, and recommend its passage.

NILES SEARLS, Chairman.

On motion of Mr. Searls, Assembly Bill No. 433, above reported, was ordered printed out of order, and made a special order for Tuesday next, immediately after morning roll-call.

By Mr. Howe:

MR. PRESIDENT: The San Francisco delegation, to whom was referred substitute for Assembly Bill No. 183—An Act to regulate the registration of voters, and to secure the purity of elections in the City and County of San Francisco—have had the same under consideration, report it back, and recommend its passage as amended.

Also, Senate Bill No. 52—An Act supplementary to an Act entitled an Act to open and establish a public street in the City and County of San Francisco, to be called Montgomery Avenue, and to take private lands therefor—report it back, and recommend that the author have leave to withdraw the same.

HOWE, for the Delegation.

Assembly Bill No. 183, above reported, was taken up under a suspension of the rules.

Amendments concurred in.

Read third time, and passed.

Senate Bill No. 52, above reported, was withdrawn by the author, by general consent.

By Mr. McCoppin:

MR. PRESIDENT: The Committee on Finance and Claims, to whom was referred Assembly Bill No. 393—An Act to provide for the payment of unused and uncanceled stamps of the State of California heretofore sold—have had the same under consideration, report it back, and recommend that it pass.

Also, Assembly Bill No. 472—An Act to regulate the salaries, and fix the compensation of the county officers of the County of Calaveras—report the same back, with the recommendation that it be referred to the delegation.

Also, Assembly Bill No. 397—An Act to authorize the Treasurer of the County of San Diego to pay certain warrants out of the contingent fund of said county—report the same back, and recommend that it be referred to the delegation.

Also, Assembly Bill No. 268—An Act for the relief of J. M. Garretson, Assessor of the County of Santa Barbara—report the same back, and recommend it be referred to the delegation.

Also, Senate Bill No. 487—An Act for the relief of W. W. Brown, Administrator of the estate of E. L. Brown, deceased—report the same back, and recommend that it do not pass.

Also, Senate Bill No. 498—An Act authorizing the State Board of Examiners to allow certain claims against the State—report the same back, and recommend that it do not pass.

Also, Senate Bill No. 55—An Act to regulate the assessment of migratory herds of live stock, and provide for the equitable distribution of the taxes derived therefrom—report the same back, and recommend that it do not pass.

MCCOPPIN, Chairman Committee.

Assembly Bills Nos. 472, 397, and 268, above reported, were referred in compliance with the request of the committee.

By Mr. Ream :

SENATE CHAMBER.

SACRAMENTO, March 14th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 442—An Act to amend section one thousand one hundred and sixty-one of the Code of Civil Procedure of the State of California.

Also, Senate Bill No. 419—An Act amendatory of section one thousand four hundred and ninety-four of the Code of Civil Procedure of the State of California.

Also, Senate Bill No. 425—An Act for the payment of certain salaries out of the Special Fee Fund of the City and County of San Francisco.

Also, substitute for Senate Bill No. 148—An Act to amend sections three thousand three hundred and thirty-five and three thousand three hundred and thirty-seven of the Political Code.

Also, Senate Joint Resolution No. 44—Relating to swamp and overflowed lands.

Also, Senate Bill No. 473—An Act to amend section four hundred and seventy-three of the Civil Code.

Also, substitute for Senate Bills Nos. 153, 156, and 295, and for section four hundred and fifty-three, in section three of Senate Bill No. 155—An Act to amend the Political Code, in relation to insurance.

Also, substitute for Senate Bill No. 155—An Act to amend the Civil Code, and repeal certain Acts relative to insurance.

Also, Senate Bill No. 313—An Act to amend an Act entitled an Act in relation to certain streets in the Town of Alameda, passed March thirtieth, eighteen hundred and seventy-four.

Also, Senate Bill No. 219—An Act to provide a new Great Register for the County of Yolo, and re-register voters thereof.

Also, Senate Bill No. 203—An Act to provide for the extension of Tehama Street, in the City and County of San Francisco.

Also, substitute for Senate Bill No. 154—An Act to amend certain sections of the Civil Code, and to add certain new sections to said Code, all relating to insurance.

Also, Senate Bill No. 351—An Act to authorize the City of Oakland to pay the sum of fifteen thousand dollars for the bridge heretofore constructed across the Estuary of San Antonio, between Eighth Street and East Ninth Street.

Also, Senate Bill No. 211—An Act for the relief of the Oakland Guard, of Oakland City.

Also, Senate Bill No. 338—An Act to establish and open Montgomery Street South, in the City and County of San Francisco, and take private lands therefor.

Also, Senate Bill No. 388—An Act to prevent the destruction of fish in King's River.

Also, Senate Bill No. 412—An Act concerning the macadamizing, etc., of Tyler Street from Market Street, and to prohibit the laying down of railroad track thereon.

Also, Senate Bill No. 435—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code.

Also, Senate Bill No. 454—An Act to establish a Board of Health for the County of Tulare.

Also, Senate Bill No. 456—An Act to authorize the City of San José to issue bonds to provide sewerage for said city.

Also, Senate Bill No. 457—An Act to amend an Act to establish a Board of Commissioners for the former Pueblo or City of Sonoma, and other matters relating thereto, to define the powers and duties of said Commissioners, approved March thirtieth, eighteen hundred and sixty-eight.

Also, Senate Bill No. 474—An Act to provide for the election of an Assessor, a City Marshal, and a Treasurer, for the City of Benicia, and to prescribe their duties, and to grant further powers to the Trustees of said city.

Also, Senate Bill No. 478—An Act to provide funds for the school department of the Town of Alameda.

Also, Senate Bill No. 480—An Act to regulate the traveling fees of the Sheriffs of the Counties of Kern and Tulare, and to repeal certain Acts therein mentioned.

Also, Senate Bill No. 505—An Act to prevent the destruction of deer on Monte Diablo, in Contra Costa County.

Also, Senate Bill No. 506—An Act to prohibit the destruction of fish in San Leandro Creek, in Alameda County.

Also, Senate Bill No. 462—An Act to provide a system of irrigation, promote rapid drainage, and improve the navigation of the Sacramento and San Joaquin Rivers.

Also, Senate Bill No. 509—An Act to amend an Act entitled an Act to authorize the City of Oakland to construct a main sewer.

Also, Senate Bill No. 523—An Act supplementary to and amendatory of an Act entitled an Act to regulate and limit the payment of money out of the treasury of the City and County of San Francisco, approved February twenty-sixth, eighteen hundred and seventy-eight.

Also, Senate Bill No. 492—An Act to authorize the Board of Supervisors of the City and County of San Francisco to open Valencia Street, in said city and county, from a point about four hundred feet north of Mission Street to the northerly line of Mission Street, and to condemn property for the roadway of said street.

D. REAM, for Committee.

Mr. Brown of El Dorado verbally reported, recommending its passage, Senate Bill No. 511—An Act to provide for transcribing the Great Register of El Dorado County.

Rules suspended, and the bill taken up for consideration.

Considered engrossed, read third time, and passed.

By Mr. Fowler, recommending passage of Assembly Bill No. 376—An Act to provide for the improvement of the public roads in the County of Mono.

Also, Assembly Bill No. 644—An Act to authorize the Board of Supervisors of Fresno County to build certain roads and bridges, and to issue bonds of said county for the construction, and to provide for the payment of the same.

Rules suspended, and the bills severally taken up for consideration.

Each read third time, and passed.

Mr. Satterwhite, for the delegation, verbally reported Assembly Bill No. 500—An Act to authorize the construction of a public wagon road in the County of San Bernardino, and to provide for the payment of the cost of the same—with amendments, recommending the passage of the bill as amended.

Rules suspended, and the bill taken up.

Amendments adopted.

Read third time, and passed.

By Mr. Flint:

MR. PRESIDENT: The Committee on Hospitals, to whom was referred Senate Bill No. 569—have had the same under consideration, and report the same back with a substitute, and recommend the passage of the substitute.

FLINT, for Committee.

Rules suspended, and the bill taken up for consideration.

Substitute adopted.

Considered engrossed, read third time, and passed.

By Mr. Hill:

MR. PRESIDENT: The Committee on Agriculture, to whom was referred Assembly Bill No. 343—An Act to prevent the sale of oleomargarine under the name and pretense that said commodity is butter—have had the same under consideration, and herewith report the bill back with amendments, recommend the adoption of the amendments, and the passage of the bill as amended.

Also, Assembly Bill No. 337—An Act to prevent buck goats running at large—and recommend passage.

HILL, Chairman.

Also:

MR. PRESIDENT: The Sonoma delegation, to whom was referred Assembly Bill No. 266—An Act to amend an Act entitled an Act to re-incorporate the City of Petaluma, approved March twenty-seventh, eighteen hundred and sixty-eight, and supplemental thereto—have duly considered the same, and herewith respectfully report the bill back to the Senate, and recommend passage.

HILL, for Delegation.

Rules suspended, and the bill, above reported, taken up for consideration.

Read third time, and passed.

Also:

MR. PRESIDENT: The Lake County delegation, to whom was referred Assembly Bill No. 469—An Act to authorize the Board of Supervisors of Lake County to levy and collect a special tax for the extermination of squirrels in said county—have had the same under consideration, and herewith respectfully report the bill back to the Senate, and recommend passage.

Also, Assembly Bill No. 252—An Act to prevent hogs from running at large in the Towns of Lakeport and Lower Lake, in Lake County—and herewith report the same back to the Senate, and respectfully recommend passage.

HILL, for Delegation.

By Mr. Beazell:

MR. PRESIDENT: The Alameda delegation, to whom was referred Senate Bill No. 508—An Act to enable the City of Oakland to acquire and maintain water-works—report the same back with a substitute, and recommend the adoption and passage of the substitute.

J. W. BONES,
BEAZELL.

Rules suspended, and the bill taken up for consideration.
Substitute adopted.

Considered engrossed, read third time, and passed
Ordered to the Assembly without engrossment.

On motion of Mr. Beazell, the rules were suspended, and Assembly Bill No. 389 taken from the general file and re-referred to the Committee on Corporations.

ASSEMBLY MESSAGE.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, March 15th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the eleventh day of March, A. D. eighteen hundred and seventy-eight, passed the following bills:

Assembly Bill No. 62—An Act to amend section three thousand four hundred and eighty-one of the Political Code.

Assembly Bill No. 482—An Act concerning Swamp Land District Number Thirty-eight.

Assembly Bill No. 319—An Act authorizing the Spring School District, in the County of Los Angeles, to issue bonds and to provide for the payment of the same.

Assembly Bill No. 518—An Act to prevent certain kinds of stock from running at large in the County of Humboldt.

Assembly Bill No. 420—An Act to prevent the trespassing of goats on inclosed land, in the County of Amador.

Assembly Bill No. 646—An Act to authorize the construction of a wagon road from Downieville, in Sierra County, to a point about two miles east of Forest City, in said county.

Assembly Bill No. 554—An Act for the relief of Frederick Kuhule.

Assembly Bill No. 555—An Act to amend section one hundred and eighty-one of the Political Code, in relation to mileage.

Assembly Bill No. 543—An Act to amend an Act entitled an Act to provide for constructing division fences, approved March ninth, eighteen hundred and seventy-six.

Assembly Bill No. 374—An Act to prevent extortion by gas companies, in the State of California.

Assembly Bill No. 130—An Act for the relief of Amelia C. Cowne, by authorizing the issuance to her of a patent for survey number six hundred and one, of the swamp and overflowed lands in Sacramento County.

Assembly Bill No. 441—An Act to add two sections to the Code of Civil Procedure—Relating to compromise.

Assembly Bill No. 442—An Act to add a new section to the Code of Civil Procedure—Relating to witnesses.

Assembly Bill No. 304—An Act to amend section two thousand two hundred and ninety-six of the Political Code—Relative to the taking of books from the State Library.

Assembly Bill No. 451—An Act to amend section two thousand two hundred and ninety-five of the Political Code.

Assembly Bill No. 296—An Act to create and organize Reclamation District Number Two Thousand and Fifty-one, and to define its boundaries, and provide for its government.

Assembly Bill No. 278—An Act for the relief of Richard Dudding and William Johnson.

Assembly Bill No. 375—An Act to add a new section to the Civil Code—Relating to corporations.

Assembly Bill No. 326—An Act to amend sections three thousand six hundred and ninety-six, three thousand seven hundred and fifty-six, three thousand eight hundred and sixteen, three thousand eight hundred and twenty-nine, three thousand eight hundred and sixty-six, three thousand eight hundred and sixty-eight, and four thousand and eighty-three of the Political Code.

cal Code—In relation to delinquent taxes, and settlement of County Treasurers with the Controller of State.

Assembly Bill No. 647—An Act to authorize the construction of a wagon road from Sardine Creek, in Sierra County, to the head of Mohawk Valley, in Plumas County.

Assembly Bill No. 232—An Act to amend an Act entitled an Act to authorize the husband or wife, or next of kin of a deceased person, to collect and receive of any savings bank any deposit in such bank, when the same does not exceed three hundred dollars, approved February eighteenth, eighteen hundred and seventy-four.

Assembly Bill No. 328—An Act to relieve the estates of deceased persons from costs of Probate Court, when below the value of fifteen hundred dollars.

Assembly Bill No. 311—An Act to amend Article Eight, Chapter Three, Title Seven, of the Political Code, by adding thereto a section, to be numbered section four thousand two hundred and fifty-nine—Fixing the qualifications of District Attorneys.

Assembly Bill No. 363—An Act to amend section three thousand and fifty-one of the Civil Code—In reference to liens for services.

Assembly Bill No. 475—An Act to amend an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two—In relation to the navigable waters of this State.

Assembly Bill No. 350—An Act to add a new section to the Penal Code—To prevent impositions from being practiced on settlers by fraudulent publications.

Assembly Bill No. 473—An Act to provide for the payment of a claim for collecting delinquent purchases of school lands.

Assembly Bill No. 565—An Act to pay the claim of P. K. Stockton, due for services as shorthand reporting on the State Land Commission.

Assembly Bill No. 89—An Act in relation to the disposition of State lands.

Assembly Bill No. 271—An Act to repeal section three hundred and fifteen of the Code of Civil Procedure.

Assembly Bill No. 435—An Act to amend the Civil Code by adding a new section thereto, to be numbered four hundred and one—Concerning the sale of artificial or spurious honey.

Assembly Bill No. 496—An Act to amend sections three hundred and seven, three hundred and twelve, and three hundred and fifteen of the Civil Code—Relative to the election of directors of corporations.

Assembly Bill No. 159—An Act to amend sections one thousand and thirty-three and one thousand and thirty-five of the Penal Code—Relative to the change of place of trial.

Assembly Bill No. 189—An Act to amend section nine hundred and fifty-six of the Penal Code—In reference to injuries to person and property.

Assembly Bill No. 352—An Act to prohibit and punish the sale of adulterated syrup.

Assembly Bill No. 595—An Act to amend section four thousand two hundred and seventeen of the Political Code—In relation to the duties of County Auditors.

Assembly Bill No. 639—An Act in relation to the State Insane Asylum.

Assembly Bill No. 564—An Act to amend section three thousand seven hundred and eighty-eight of the Political Code, in regard to the title conveyed by deed to purchasers of lands for delinquent taxes, and the entry of State lands sold at a delinquent sale.

Assembly Bill No. 452—An Act to amend section nine hundred and fifty-four of the Code of Civil Procedure—In relation to appeals to the Supreme Court.

Assembly Bill No. 561—An Act to regulate certain corporations in this State, by compelling the publication of statements of unclaimed accounts and dividends.

Assembly Bill No. 485—An Act to define the duties of inspectors of rifle practice of the National Guard of California.

Assembly Bill No. 494—An Act to amend section one thousand nine hundred and thirty-seven of the Political Code—Relative to returns of militia to County Assessors.

Assembly Bill No. 455—An Act to prevent the adulteration of coffee with the article known as chicory.

Assembly Bill No. 636—An Act to amend section one thousand six hundred and seventeen of the Political Code—Relating to the general powers of Boards of Trustees and of Education.

Assembly Bill No. 325—An Act to provide for the registration of policies of life insurance.

Assembly Bill No. 603—An Act for the relief of Edward Christy.

Assembly Bill No. 218—An Act to permit John J. Wesselhoft to redeem certain lands sold to the State for delinquent taxes, for the fiscal year eighteen hundred and seventy-five and seventy-six.

Assembly Bill No. 353—An Act to protect stockholders and persons dealing with corporations in this State.

Assembly Joint Resolution No. 59—Relative to the manufacture of sugar from beets, melons, etc.

Assembly Bill No. 617—An Act concerning Tax Collectors and administrators of intestate estates, and providing for the disposition of public moneys collected by them.

Assembly Bill No. 424—An Act to amend section eight hundred of the Political Code—Relative to the oath of office of Notaries.

Assembly Bill No. 425—An Act to amend section four hundred and nine of the Political Code—Relative to the oath of office of County Judges and County Clerks.

Assembly Bill No. 423—An Act to amend section eight hundred and seventy-one of the Code of Civil Procedure—Relative to default in Justices' Courts.

Assembly Bill No. 412—An Act to cure defects in the application of John D. Justice to purchase lands from the State.

Assembly Bill No. 173—An Act for the incorporation of mutual fire insurance companies, and defining their duties and powers.

Assembly Bill No. 601—An Act to authorize the Surveyor-General to collect from the United States moneys that may become due the State of California, on account of sales of lands in this State.

Assembly Bill No. 540—An Act to amend section one thousand seven hundred and fifty-five of the Political Code.

Assembly Bill No. 574—An Act making an appropriation for deficiency in the support of the Napa State Asylum for the Insane, for the fiscal year ending January thirtieth, eighteen hundred and seventy-six.

Assembly Bill No. 453—An Act to amend an Act entitled an Act concerning the office of County Clerk of Santa Barbara County, approved March eleventh, eighteen hundred and seventy-six.

Assembly Bill No. 385—An Act to amend section three thousand six hundred and seventy-four of the Political Code—Concerning equalization of assessments.

Assembly Bill No. 165—An Act to protect public health from infection caused by exhumation and removal of the remains of deceased persons.

Also, passed Senate bill No. 299—An Act to amend section seven hundred and ninety-one of the Political Code.

And, on this day, concurred in Senate amendments to Assembly Bills Nos. 300, 506, 373, 314, 318, 503, and Assembly Joint Resolution No. 45.

And, also, return Senate Bill No. 26—An Act to amend section two hundred and ninety-nine of the Civil Code—corrected as requested.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bills Nos. 232, 328, 311, 363, 475, 350, 271, 159, 189, 352, 564, 452, 325, 218, 617, 424, 425, 423, 412, 173, 601, 453, 441, 442, and 326, above reported.

Each read first and second times, and referred to the Judiciary Committee.

Subsequently, on motion of Mr. Lewis, Assembly Bill No. 475 was referred to the Committee on Commerce and Navigation, the vote referring it to the Judiciary Committee being reconsidered.

Assembly Bills Nos. 473, 365, 595, 603, 574, 385, 554, and 278, above reported.

Each read first and second times, and referred to the Committee on Finance and Claims.

Assembly Bills Nos. 89, 62, 482, 130, and 296, above reported.

Each read first and second times, and referred to the Committee on Public Lands.

Assembly Bills Nos. 435 and 543, above reported.

Each read first and second times, and referred to the Committee on Agriculture.

Assembly Bills Nos. 496, 561, 353, 374, and 375, above reported.

Each read first and second times, and referred to the Committee on Corporations.

Assembly Bills Nos. 639 and 165, above reported.

Each read first and second times, and referred to the Committee on Hospitals.

Assembly Bills Nos. 485 and 494, above reported.

Each read first and second times, and referred to the Committee on Military Affairs.

Assembly Bill No. 455, above reported.

Read first and second times, and referred to the Committee on Commerce and Navigation.

Assembly Bills Nos. 636, 540, and 438, above reported.

Each read first and second times, and referred to the Committee on Education.

Assembly Bills Nos. 319, 518, 420, 646, and 647, above reported.

Each read first and second times, and referred to the delegations named in the bills.

Assembly Bill No. 555, above reported.

Read first and second times, and referred to the Committee on Mileage.

Assembly Bills Nos. 304 and 451.

Each read first and second times, and referred to the Committee on State Library.

Senate Joint Resolution No. 59, above reported.

Read first and second times, and referred to the Judiciary Committee.

Senate Bill No. 26, above reported.

Assembly amendments to the bill concurred in.

RECESS.

At one o'clock and ten minutes P. M., on motion of Mr. B. D. Murphy, the Senate took a recess for thirty minutes.

RE-ASSEMBLED.

At one o'clock and forty minutes P. M., the Senate re-assembled.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Boring, Boyston, Brown of Amador, Coleman, Crane, Curtis, Dean, Evans, Fowler, Goodwin, Haymond, Hilborn, Hill, Howe, Lewis, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Pierson, Ream, Rogers, Satterwhite, Searls, and Whitney.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows:

By Mr. F. M. Brown: Senate Bill No. 576—An Act to amend section four hundred and ninety-eight of the Civil Code, relative to street railroad corporations.

Read first and second times, and referred to the Committee on Corporations.

By Mr. Goodwin: Senate Bill No. 577—An Act to amend section one thousand five hundred and ninety of the Penal Code.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

Ordered to the Assembly without engrossment.

By Mr. Satterwhite: Senate Bill No. 578—An Act to authorize the Board of Supervisors of San Bernardino County to purchase the franchise of a toll-road company.

Read first and second times, and ordered on the general file.

By Mr. Crane: Senate Bill No. 579—An Act to regulate roads and highways in Lassen County.

Read first and second times, and referred to the Committee on Roads and Highways.

SPECIAL ORDER.

Assembly Bill No. 73—An Act to create an irrigation district, to be called the West Side Irrigation District, embracing certain portions of the Counties of San Joaquin, Stanislaus, Merced and Fresno.

Amendments concurred in.

Various amendments were proposed, and subsequently withdrawn.

[Mr. Murphy of San Francisco in the chair.]

Mr. Craig offered an amendment, as follows:

Amend section twenty by striking out subdivision fourteen.

Lost.

The bill was read a third time, and passed.

On motion of Mr. McCoppin, Assembly Bill No. 119 was made a special order for Monday next, immediately after the reading of the Journal.

Mr. Pierson offered a resolution, as follows:

Resolved, That the Engrossing Clerk of the Senate correct substitute for Senate Bill No. 155, by inserting, in section two, line seven, after the word "issued," the words "and delivered."

Adopted.

Mr. Ream submitted a report, as follows:

SENATE CHAMBER.

SACRAMENTO, March 15th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 398—An Act to provide for the building of a school house in Anaheim School District, in the County of Los Angeles, State of California.

Also, Senate Bill No. 476—An Act to amend an Act entitled an Act for the improvement of the City of Sacramento, approved March eighth, eighteen hundred and seventy-six.

Also, Senate Bill No. 479—An Act to amend certain sections of an Act entitled an Act to provide for the location, construction, and maintenance of public roads in the County of Nevada, approved March twenty-first, eighteen hundred and seventy-two.

Also, substitute for Senate Bill No. 140—An Act to amend an Act entitled an Act for the appointment of Inspector of Stationary Steam-boilers and Steam-tanks, and for the better security of life and property in the City and County of San Francisco, approved March twenty-seventh, eighteen hundred and sixty-six.

Also, Senate Bill No. 503—An Act to amend Chapter One, Title Fifteen, of the Penal Code—Relating to violations of the law for the preservation of fish and game.

Also, Senate Bill No. 532—An Act to amend section six hundred and forty-two of the Political Code—Respecting the duties of the Fish Commissioners.

Also, Senate Bill No. 530—An Act to amend an Act entitled an Act in relation to highways in the County of Solano, approved March sixteenth, eighteen hundred and seventy-six.

Also, Senate Bill No. 369—An Act for the protection of the public roads on Sherman Island.

Also, Senate Bill No. 273—An Act to legalize the assessment of taxes in the City and County of San Francisco, and to ratify and confirm a resolution of the Board of Supervisors of the City and County of San Francisco.

Also, Senate Bill No. 239—An Act to consolidate certain funds, and to create therefrom a permanent endowment for the University of California, of which the interest only shall be used by the Board of Regents to meet current expenses.

Also, substitute for Senate Bill No. 212—An Act to amend sections two thousand five hundred and twenty-seven and two thousand five hundred and thirty-six of the Political Code—Concerning the construction of the sea-wall of San Francisco.

Also, Senate Bill No. 138—An Act to amend section three thousand and sixty-one of the Political Code—Relating to local Boards of Health.

Also, Senate Bill No. 141—An Act to amend section two thousand five hundred and fifty-two of an Act to amend an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two, and to add a certain new section thereto, approved February twenty-eighth, eighteen hundred and seventy-six.

Also, Senate Bill No. 44—An Act to fix the bonds of the county officers of Ventura County.

Also, Senate Bill No. 14—An Act to regulate the salaries and fix the compensation of certain county officers in the County of Nevada.

Also, Senate Bill No. 423—An Act relating to the Coroner of Santa Clara County.

D. REAM, for the Committee.

ADJOURNMENT.

At three o'clock and forty-five minutes P. M., on motion of Mr. Lewis, the Senate adjourned until Monday, the eighteenth instant, at eleven o'clock A. M.

IN SENATE.

SENATE CHAMBER,)
MONDAY, March 18th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Boring, Boyston, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Goodwin, Haymond, Hilborn, Howe, Lambert, Lewis, McOppan, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

The Journal of Friday last not read, and approved, by general consent.

Messrs. Bones and Hill were granted leave of absence for one day each.

SPECIAL ORDER—MONDAY, MARCH EIGHTEENTH, AFTER ROLL-CALL.

Assembly Bill No. 119—An Act to provide for and regulate the establishment and collection of water-rates in cities and towns with more than one hundred thousand inhabitants, and to prevent extortionate and unlawful charges for the use of water therein, and to punish persons guilty thereof.

Pending discussion of Assembly Bill No. 119, the hour arrived to take up special order set for twelve o'clock M.

Senate Bill No. 437—An Act to regulate the quality and standard illuminating power and the price of gas in all cities within the State of California, having a population of one hundred thousand or more.

Mr. Craig, the author of the bill, asked and obtained leave to withdraw the bill, stating that he had become convinced that it was unconstitutional in its provisions.

Assembly Bill No. 119 continued.

Reported from the Committee of the Whole with amendments, which were taken up, as follows:

Amend by striking out section one, and inserting a new section as a substitute therefor.

Section 1. From and after the passage of this Act, the rates to be charged for water in any city and county, or city or town in this State, having a population, according to the last preceding census taken by the United States Government, of over one hundred thousand souls, and which city and county, or city or town, does not

own its water-works, but is, or the inhabitants of which are, supplied with fresh water by any person, firm, association, joint stock company, or corporation, formed under or authorized by the laws of this State to supply water to such city and county, or city or town, or the inhabitants thereof, shall be determined by a Board of Commissioners, to be selected as follows: Three to be appointed by the Mayor or other executive head of the city and county, or city or town, on the part of said city and county, or city or town, and the inhabitants thereof, and confirmed in the manner hereinafter provided for; and three on the part of the water company, to be appointed by such company, subject to the provisions of this Act; and the County Judge of the county, who shall be ex officio a Commissioner and President of the Board; *provided*, nothing herein contained shall prevent any Board of Water-rate Commissioners, under the laws now in force, from fixing rates at any time before the Board of Water-rate Commissioners, under this Act, have established rates as herein provided; and such rates may be collected until the rates herein provided are fixed.

On concurring in the amendment, the ayes and noes were demanded by Messrs. B. D. Murphy, McCoppin, and Donovan, and it was concurred in by a vote, as follows:

AYES—Messrs. Beazell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Evans, Flint, Goodwin, Haymond, Hilborn, Howe, Lambert, Lewis, McCarthy, McCoppin, Montgomery, Murphy of San Francisco, Pierson, Rogers, Satterwhite, Shirley, and Whitney—24.

NOES—Messrs. Boring, Curtis, Dean, Donovan, Murphy of San Luis Obispo, and Murphy of Santa Clara—6.

Mr. Donovan offered an amendment, as follows: After the word "actual" insert the word "value," in lieu of the word "cost."

Lost.

On concurring in all the other amendments to the bill, the ayes and noes were demanded by Messrs. Dean, Donovan, and Craig, and they were concurred in by a vote, as follows:

AYES—Messrs. Beazell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Evans, Flint, Goodwin, Haymond, Howe, Lambert, Lewis, McCarthy, McCoppin, Montgomery, Murphy of San Francisco, Pierson, Rogers, Satterwhite, Searls, Shirley, and Whitney—25.

NOES—Messrs. Boring, Curtis, Dean, Donovan, and Murphy of Santa Clara—5.

The bill was read a third time, and passed.

REPORTS.

Reports were submitted, as follows:

By Mr. McCarthy:

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 398—An Act to provide for the building of a school house in Anaheim School District, in the County of Los Angeles, State of California.

Also, Senate Bill No. 479—An Act to amend certain sections of an Act entitled an Act to provide for the location, construction, and maintenance of public roads in the County of Nevada, approved March twenty-first, eighteen hundred and seventy-two.

Also, Senate Bill No. 138—An Act to amend section three thousand and sixty-one of the Political Code—relating to local Boards of Health.

Also, Senate Bill No. 474—An Act to provide for the election of an Assessor, a City Marshal, and a Treasurer, for the City of Benicia, and to prescribe their duties; also, to grant further powers to the Trustees of said city.

Also, Senate Bill No. 299—An Act to amend section seven hundred and ninety-one of the Political Code.

Also, Senate Bill No. 44—An Act to fix the bonds of the county officers of Ventura County.

Also, Senate Bill No. 239—An Act to consolidate certain funds, and to create therefrom a permanent endowment for the University of California, of which the interest only shall be used by the Board of Regents to meet current expenses.

Also, substitute for Senate Bill No. 212—An Act to amend sections two thousand five hundred and twenty-seven and two thousand five hundred and thirty-six of the Political Code—concerning the construction of the sea-wall of San Francisco.

Also, Senate Bill No. 141—An Act to amend section two thousand five hundred and fifty-two of an Act to amend an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two, and to add a certain new section thereto, approved February twenty-eighth, eighteen hundred and seventy-six.

Also, Senate Bill No. 473—An Act to legalize the assessment of taxes in the City and County of San Francisco, and to ratify and confirm a resolution of the Board of Supervisors of the City and County of San Francisco.

Also, Senate Bill No. 423—An Act relating to the Coroner of Santa Clara County.

Also, Senate Bill No. 523—An Act supplementary and amendatory of an Act entitled an Act to regulate and limit the payment of money out of the treasury of the City and County of San Francisco, approved February twenty-sixth, eighteen hundred and seventy-eight.

Also, Senate Bill No. 271—An Act conferring additional powers upon the Board of Supervisors and the Auditor and Treasurer of the City and County of San Francisco.

And, this day, at one o'clock P. M., presented the same to the Governor.

McCARTHY, Chairman.

By Mr. Howe:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was re-referred Senate Bill No. 86—An Act to declare Clear Lake, in Lake County, navigable, with amendments adopted in Assembly—have had the same under consideration, report it back, and recommend that the Senate do not concur.

Also, Senate Bill No. 485—Relative to authorizing the Board of State Harbor Commissioners to adjust and pay the claim of J. C. Smith—report it back, and recommend its passage as amended.

Also, Assembly Bill No. 475—In relation to the navigable waters of this State—report it back, and recommend its passage.

Also, Senate Bill No. 566—An Act to amend section two thousand five hundred and forty-eight of the Political Code—report the same back, and recommend its passage.

HOWE, Chairman.

Senate Bill No. 86, above reported, was taken up for consideration under a suspension of the rules.

The Senate refused to concur in the Assembly amendments to the bill.

By Mr. Curtis:

MR. PRESIDENT: The Committee on Finance and Claims have had Senate Bill No. 225—An Act to amend certain sections of the Political Code—under consideration, and report it back with a substitute, and recommend the passage of the substitute.

Also, Senate Bill No. 553—An Act in relation to Indian war bonds of the State of California—report the same back, and recommend its passage.

CURTIS, on behalf of the Committee.

By Mr. Lewis:

MR. PRESIDENT: The Judiciary Committee, to whom was referred Senate Bill No. 534—An Act to amend the Code of Civil Procedure—have had the same under consideration, and report it back amended, and recommend its passage as amended.

Also, Senate Bill No. 300—An Act to add a new section to the Penal Code, to be known as section one thousand six hundred and fifteen—report the same back with a substitute, and recommend the passage of the substitute.

LEWIS, for Committee.

By Mr. Shirley:

SACRAMENTO, March 18th, 1878.

To the Honorable Senate of the State of California:

MR. PRESIDENT: Your Committee on State Prison and Prison Buildings would most respectfully submit the following report on the question of the proposed Branch Prison at Folsom.

PAUL SHIRLEY, Chairman.

The report was ordered printed.

By Mr. Searls:

MR. PRESIDENT: The Sierra delegation, to whom was referred Assembly Bill No. 647—An Act to authorize the construction of a wagon road from Sardine Creek, in Sierra County, to the head of Mohawk Valley, in Plumas County—report the same back, and recommend its passage.

Also, Assembly Bill No. 646—with a like recommendation—that it do pass.

NILES SEARLS.

The bills, above reported, were taken up for consideration under suspension of the rules.

Assembly Bill No. 647.

Read third time, and passed.

Assembly Bill No. 646.

Read third time, and passed.

By Mr. Crane:

MR. PRESIDENT: Having had under consideration Assembly Bill No. 247—In relation to fees of Justices of the Peace for the Counties of Butte and Lassen—I report the same back, and recommend its passage.

CRANE.

By Mr. Searls:

MR. PRESIDENT: The Committee on Corporations have duly considered sundry bills, to them referred, and now report them back to the Senate, as follows:

Senate Bill No. 484—An Act to amend section two hundred of the Code of Civil Procedure—with a recommendation that it pass.

Also, Senate Bill No. 372—An Act to disincorporate a portion of the City of Visalia, Tulare County, California—and recommend its passage.

Also, Senate Bill No. 341—An Act to amend section two hundred and ninety-three of the Civil Code—and recommend its passage.

Also, Senate Bill No. 231—An Act to confer further powers on the Common Council of the City of Santa Barbara—and recommend that the bill be referred to the Judiciary Committee.

Also, Senate Bill No. 340—An Act to repeal section two hundred and ninety-nine of the Civil Code—and recommend that it do not pass.

Also, Senate Bill No. 206—An Act to provide for furnishing cities and counties, or cities or towns, and the inhabitants thereof, with pure fresh water, and to enable cities and counties, or cities or towns, to acquire and maintain public water-works—and recommend that it do not pass.

Also, Senate Bill No. 527—An Act to amend a certain section of the Civil Code, relating to corporations—without recommendation.

Also, Assembly Bill No. 496—An Act to amend sections three hundred and twelve and three hundred and fifteen of the Civil Code, relative to the election of directors of corporations—and recommend its passage.

Also, Assembly substitute for Assembly Bill No. 173—An Act for the incorporation of mutual fire insurance companies, and defining their powers and duties—and recommend its passage.

Also, Assembly Bill No. 429—An Act to amend an Act entitled an Act for the incorporation of the Town of Wheatland, approved March thirteenth, eighteen hundred and seventy-four—and recommend that it be referred to the delegation from Yuba and Sutter.

Also, Assembly Bill No. 375—An Act to add a new section to the Civil Code, relating to corporations—and recommend its passage.

NILES SEARLS, Chairman.

The bills, above reported, were referred, in accordance with the request of the committee.

Mr. Crane, for the delegation, verbally reported, recommending its passage, Assembly Bill No. 312—An Act to authorize the Board of Supervisors of Marin County to levy a special tax, to appropriate the moneys collected thereunder to the construction of a wagon road in said county, and to transfer certain funds.

Rules suspended, and the bill, above reported, taken up.

Read third time, and passed.

By Mr. Ream :

MR. PRESIDENT: The delegation from Siskiyou, Modoc, and Sonoma Counties, to whom was referred Senate Bill No. 34—having had the same under consideration, report it back without recommendation, and ask that the author may be allowed to withdraw the bill.

D. REAM, for the Delegation.

Senate Bill No. 34, above reported, was withdrawn by Mr. Ream, the author of the bill, and by general consent.

Mr. Murphy of San Luis Obispo verbally reported, recommending its passage, Assembly Bill No. 268—An Act for the relief of J. M. Garretson, Assessor of the County of Santa Barbara.

Rules suspended, and the bill taken up.

Read third time, and passed.

By Mr. F. M. Brown :

MR. PRESIDENT: I have had under consideration Assembly Bill No. 420—An Act to prevent the trespassing of goats in inclosed land in Amador County—and report it back, and recommend its passage.

F. M. BROWN.

Mr. Crane, for the delegation, verbally reported, recommending its passage, Senate Bill No. 579—An Act to regulate roads and highways in Lassen County.

Rules suspended, and the bill taken up.

Considered engrossed, read third time, and passed.

GOVERNOR'S MESSAGES.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
SACRAMENTO, March 15th, 1878. }

To the Senate of the State of California :

I have to inform your honorable body that I have approved Senate Bills No. 255—An Act to amend an Act entitled an Act to incorporate the City of Stockton, approved March twenty-seventh, eighteen hundred and seventy-two.

No. 238—An Act to amend an Act entitled an Act to incorporate the City of Nevada, and all Acts supplemental thereto, and to repeal all Acts in conflict therewith.

No. 151—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco.

No. 174—An Act to ratify and validate a certain contract of the City and County of San Francisco.

No. 315—An Act to incorporate the Town of Etna, Siskiyou County, California.

No. 207—An Act for the relief of John A. Odell.

WILLIAM IRWIN, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
SACRAMENTO, March 18th, 1878. }

To the Senate of the State of California :

I have to inform your honorable body that I have approved Senate Bills No. 11—An Act to amend an Act in relation to the government of the County of Sacramento, approved March thirtieth, eighteen hundred and seventy-four.

No. 33—An Act to regulate the fees and establish the compensation of the County Recorder of the County of Placer, and to repeal an Act entitled an Act to fix the salary of the County Recorder of the County of Placer, approved March twenty-seventh, eighteen hundred and seventy-four.

No. 58—An Act to fix the fees of Justices of the Peace for the County of Contra Costa.

No. 115—An Act to confer additional powers on the Board of Supervisors of the City and County of San Francisco, to provide for the opening of Army Street, and the condemnation of private property therefor.

No. 162—An Act concerning licenses in the County of San Benito.

No. 163—An Act concerning roads and highways in the County of San Benito.

Substitute for No. 209—An Act amendatory to an Act entitled an Act to provide for the maintenance and construction of roads and highways in the County of Mariposa, approved March thirty-first, eighteen hundred and seventy-six.

No. 233—An Act to amend an Act entitled an Act to create the Twenty-first Judicial District, approved February fifteenth, eighteen hundred and seventy-six, by changing the dates of holding terms of Court in said district.

No. 281—An Act to add a new section to the Penal Code, in relation to the adulteration of candies.

No. 285—An Act to amend section seven hundred and seventy of the Political Code, relating to County Boards of Examination.

No. 286—An Act granting certain privileges to the North Beach and Mission Railroad Company.

Substitute for No. 288—An Act to amend an Act entitled an Act to provide for the location, construction, and maintenance of public roads in the County of Nevada, approved March twenty-first, eighteen hundred and seventy-two.

No. 310—An Act to increase the appropriation for the support of the Hospital and Alms-house in the City and County of San Francisco.

No. 339—An Act to amend an Act entitled an Act to create a Board of Auditors for El Dorado County, and fix the powers thereof, approved March thirtieth, eighteen hundred and seventy-four, and the Act amendatory thereof, approved April first, eighteen hundred and seventy-six.

No. 342—An Act to legalize a tax for building a school house in the New York School District, in Contra Costa County.

No. 343—An Act to fund certain indebtedness of Solano County.

No. 344—An Act to amend an Act entitled an Act authorizing the Trustees of the San Buenaventura School District, of the County of Ventura, in this State, to issue bonds for said district for the sum of ten thousand dollars, approved March sixteenth, eighteen hundred and seventy-two.

No. 346—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board.

No. 354—An Act making the Sheriff of Butte County the Collector of business licenses therein, and fixing the salary thereof.

No. 356—An Act to amend sections three thousand and seventy-four, three thousand and seventy-nine, and three thousand and eighty-one of the Political Code, and to add a new section thereto, to be numbered section three thousand and eighty-three.

No. 378—An Act to amend an Act entitled an Act in relation to the county officers of Santa Clara County, their fees and salaries, approved February tenth, eighteen hundred and seventy-six.

No. 379—An Act to amend an Act entitled an Act to re-incorporate the City of San José, approved March seventeenth, eighteen hundred and seventy-four.

No. 380—An Act concerning Santa Clara Avenue, and certain public lands in the County of Santa Clara.

No. 382—An Act to amend an Act entitled an Act to establish and define the powers and duties of the Board of Education of the City of Petaluma, approved January sixth, eighteen hundred and seventy-two, and the Act supplementary thereto and amendatory thereof.

No. 386—An Act to confer further powers on the Common Council of the City of Santa Barbara.

No. 392—An Act to amend an Act entitled an Act concerning streams in the County of Santa Clara, approved March twenty-eighth, eighteen hundred and seventy-two.

No. 393—An Act to authorize the Board of Supervisors of the County of Santa Clara to issue bonds in payment of certain indebtedness.

No. 422—An Act authorizing the Mayor and Common Council of the City of San José to establish and provide for the maintenance of a Board of Health.

No. 449—An Act to amend an Act entitled an Act to incorporate the Town of Martinez, and to provide for the government thereof, approved April first, eighteen hundred and seventy-six.

No. 428—An Act respecting the Hospital of the County of Plumas.

No. 82—An Act concerning the water front of the City and County of San Francisco.

WILLIAM IRWIN, Governor.

To the Senate and Assembly of the State of California:

I have the honor to transmit to you the accompanying communication from James M. McDonald, H. W. Carpenter, and others, the holders of bonds of El Dorado County. I transmit the communication, which is in the form of a memorial, because the memorialists request it; but I make no recommendation touching the matter contained in the memorial, as I have not given sufficient attention to the subject to justify me in saying what ought to be done under the peculiar circumstances of the case.

WILLIAM IRWIN, Governor.

The above communication was referred to the Committee on Claims, on motion of Mr. Craig.

ASSEMBLY MESSAGES.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, March 15th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, passed, and ordered transmitted without engrossment, Assembly Bill No. 739—An Act supplemental to and amendatory of an Act entitled an Act to regulate fees of office and salaries of certain officers in and for the County of Sonoma, and to repeal certain other Acts in relation thereto, approved March fourth, eighteen hundred and seventy-eight.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 15th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the eleventh day of March, A. D. eighteen hundred and seventy-eight, passed the following bills:

Assembly Bill No. 657—An Act to amend an Act entitled an Act to provide for the grading of a public alley, and the construction of sewers therein, in the City of Sacramento.

Assembly Bill No. 405—An Act authorizing the condemnation of private property within the limits of Hickory Avenue, between Gough and Octavia Streets, in the City and County of San Francisco.

Assembly Bill No. 653—An Act amendatory of and supplementary to an Act to regulate the fees of office and salaries of officers in Modoc County, approved March second, eighteen hundred and seventy-eight.

Assembly Bill No. 594—An Act to establish and maintain a free dispensary in the City and County of San Francisco.

Assembly Bill No. 632—An Act granting to John C. Boggs a reward for the capture of Ah Sam, alias Gee Ah You, a noted murderer.

Assembly Bill No. 504—An Act to amend an Act entitled an Act to re-incorporate the Town of Woodland, approved March twenty-fourth, eighteen hundred and seventy-four.

Assembly Bill No. 703—An Act to amend an Act entitled an Act to provide for the government of the County of San Diego, approved March thirtieth, eighteen hundred and seventy-six.

Assembly Bill No. 407—An Act to amend section six hundred and two of the Political Code, in relation to insurance.

Assembly Bill No. 688—An Act to fix the salaries and compensation of certain officers of Butte County.

Assembly Bill No. 464—An Act to add a new section to the Political Code, to be known as section three thousand eight hundred and seventeen, to provide for the redemption by delinquent owners of property sold to the State.

Assembly Bill No. 515—An Act to amend an Act entitled an Act to preserve the name of a street in the City and County of San Francisco, approved January fifteenth, eighteen hundred and seventy-eight.

Assembly Bill No. 558—An Act to provide for the payment of certain outstanding road warrants of Sacramento County.

Assembly Bill No. 652—An Act to amend an Act entitled an Act to incorporate the Town of San Rafael, approved March eighteenth, eighteen hundred and seventy-four.

Assembly Bill No. 612—An Act to create an irrigation district, to be called the "Modesta Irrigation District."

Assembly Bill No. 536—An Act amendatory of and supplementary to an Act entitled an Act to prescribe the duties and provide the salary of certain officers of San Mateo County, to authorize the issue of bonds for road purposes, and other matters relating thereto, approved March eighteenth, eighteen hundred and seventy-four.

Assembly Bill No. 223—An Act to authorize the Board of Supervisors of the City and County of San Francisco to open Sixteenth Street, in said city and county, from the westerly line of Guerrero Street to the easterly line of Church Street, and to condemn property for roadway of said street.

Assembly Bill No. 691—An Act to confer certain powers upon the Board of Supervisors of the County of San Mateo.

Assembly Bill No. 692—An Act relating to fees of Justices of the Peace in Colusa County.

Assembly Bill No. 390—An Act to amend sections one thousand and ninety-eight, one thousand one hundred, and one thousand one hundred and one of the Political Code, in relation to the registration of voters.

Assembly Bill No. 454—An Act to amend section two thousand seven hundred and ten of the Political Code, in and for the County of Santa Barbara.

Assembly Bill No. 587—An Act supplemental to an Act entitled an Act to re-incorporate the City of Santa Cruz, approved March eleventh, eighteen hundred and seventy-six.

Assembly Bill No. 584—An Act to provide for the construction of a railroad from the Town

of Truckee, Nevada County, to Tahoe City, Lake Bigler, Placer County, and to regulate freights and fares thereon.

Assembly Bill No. 548—An Act making an appropriation for the payment of guard and other military duty performed in San Francisco in November, eighteen hundred and seventy-seven, and January, eighteen hundred and seventy-eight, by detachment of the National Guard, and other expenses appertaining thereto.

Assembly Bill No. 143—An Act to authorize the payment for work done in Swamp Land District Number Two.

Assembly Bill No. 677—An Act fixing the amount of the official bonds of Colusa County.

Assembly Bill No. 676—An Act to confer certain powers on the Board of Supervisors of Colusa County, and fixing the time for the meetings.

Assembly Bill No. 526—An Act to fund certain indebtedness of San Diego County.

Assembly Bill No. 655—An Act to authorize the construction and maintenance of a bridge across the Tuolumne River, at the Town of Modesta.

Assembly Bill No. 556—An Act to amend an Act entitled an Act to provide for the government of the County of San Diego, approved March thirtieth, eighteen hundred and seventy-six.

Assembly Bill No. 577—An Act in relation to the county officers of Monterey County, their fees and salaries.

Assembly Bill No. 679—An Act to amend an Act to incorporate the City of Santa Barbara, approved March tenth, eighteen hundred and seventy-four.

Assembly Bill No. 680—An Act to authorize the Common Council of the City of Santa Barbara to lay out, open, and improve streets in said city.

Assembly Bill No. 685—An Act to fix the salaries of certain officers of El Dorado County.

Assembly Bill No. 669—An Act to amend an Act entitled an Act to prevent persons passing through inclosures and leaving them open, by tearing down fences or otherwise, and to prevent hunting on inclosed lands in the State of California, approved March twenty-third, eighteen hundred and seventy-six.

Assembly Bill No. 690—An Act for the sealing of logs in the County of Humboldt.

Assembly Bill No. 551—An Act to extend the time for the redemption of certain property sold for taxes in Plumas County.

Assembly Bill No. 686—An Act to divide the County of El Dorado into revenue districts, and to provide for the assessment, collection, and equalization of taxes therein.

Assembly Bill No. 223—An Act to authorize the Board of Supervisors of the City and County of San Francisco to open Sixteenth Street, in said city, from the westerly line of Guerrero Street to the easterly line of Church Street, and to condemn property for the roadway of said street.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER.

SACRAMENTO, March 18th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the fourteenth day of March, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 289—An Act concerning text-books in the public schools of California.

And, on the fifteenth day of March, passed Assembly Bill No. 753—An Act to provide for the relief of schools in the flooded district, and ordered the same transmitted without engrossment.

Also, passed Assembly Joint Resolution No. 65—Relative to constructing a break-water or sea-wall in the Harbor of Santa Barbara.

Also, Assembly Joint Resolution No. 41—Relative to the restoration of railroad lands to the public domain.

And, on the sixteenth of March, amended and passed Senate Bill No. 530—An Act to amend an Act in relation to highways in the County of Solano, approved March sixteenth, eighteen hundred and seventy-six.

Also, amended and passed Senate Bill No. 364—An Act to provide compensation for the Township Assessor of the Township of Oakland, County of Alameda.

Also, passed Senate Bill No. 31—An Act to amend section one thousand five hundred and seventy-six of the Political Code.

Also, Senate Bill No. 523—An Act supplementary to and amendatory of an Act entitled an Act to regulate and limit the payment of money out of the treasury of the City and County of San Francisco, approved February twenty-sixth, eighteen hundred and seventy-eight.

Also, Senate Bill No. 438—An Act to create Hastings College of the Law, in the University of the State of California.

Also, Senate Bill No. 264—An Act to authorize the Trustees of the Snelling School District, of Merced County, to pay the debt of said district.

Also, Senate Bill No. 291—An Act to amend an Act entitled an Act to amend an Act to incorporate the Town of Watsonville, Santa Cruz County, California, approved March thirtieth, eighteen hundred and sixty-eight.

Also, Senate Bill No. 361—An Act to authorize the issuance of bonds for the payment of damages for the widening and extending of Los Angeles Street, in the City of Los Angeles.

Also, Senate Bill No. 434—An Act for the relief of Klamath School District, Siskiyou County, California.

Also, Senate Bill No. 444—An Act to quiet title to town lots in the City of Visalia.

Also, Senate Bill No. 271—An Act conferring additional powers upon the Board of Supervisors and the Auditor and Treasurer of the City and County of San Francisco.

Also, Senate Bill No. 81—An Act for the relief of Henry F. Williams, and to provide for the payment of certain moneys equitably due said Williams.

Also, Senate Bill No. 389—An Act to prevent the trespassing of animals upon private property in the County of Yolo.

Also, Senate Bill No. 269—An Act to ratify and confirm Order Number One Thousand Four Hundred and Four of the Board of Supervisors of the City and County of San Francisco.

Also, concurred in Senate amendments to Assembly Bill No. 73, and refused to concur in Senate amendments to Assembly Bill No. 500—An Act to authorize the construction of a public wagon road in the County of San Bernardino, and to provide for the payment of the costs of the same.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 18th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the sixteenth day of March, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 754—An Act to provide for the better collection of water-rates in the City of Sacramento.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 18th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 305—An Act to authorize certain appropriations of money by the Board of Supervisors of the City and County of San Francisco.

Also, Senate Bill No. 501—An Act to confer further powers upon the New City Hall Commissioners of the City and County of San Francisco.

Also, Senate Bill No. 565—An Act for the relief of bondsmen herein named.

And refused to concur in Senate amendments to Assembly Bill No. 136—An Act to amend sections seven hundred and fifty-two, seven hundred and fifty-three, seven hundred and fifty-four, and seven hundred and fifty-six of the Political Code.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bills Nos. 657, 405, 703, 688, 515, 558, 652, 536, 223, 691, 629, 587, 677, 676, 526, 655, 556, 577, 679, 680, 685, 690, 351, 686, and 223.

Each read first and second times, and severally referred to the delegations named in the bills.

Assembly Bill No. 594, above reported.

Read first and second times, and referred to the Committee on Hospitals.

Assembly Bill No. 612, above reported.

Read first and second times, and referred to the Committee on Irrigation.

Assembly Bill No. 632, above reported.

Read first and second times, and referred to the Committee on Claims.

Assembly Bills Nos. 407, 390, and 454.

Each read first and second times, and referred to the Committee on the Judiciary.

Assembly Bills Nos. 464 and 143, above reported.

Read first and second times, and referred to the Committee on Public Lands.

Assembly Bill No. 584, above reported.

Read first and second times, and referred to the Committee on Corporations.

Assembly Bill No. 548, above reported.

Read first and second times, and referred to the Committee on Military Affairs.

Assembly Bill No. 669, above reported.
Read first and second times, and referred to the Committee on Agriculture.

Substitute for Assembly Bills Nos. 289 and 753, above reported.
Each read first and second times, and referred to the Committee on Education.

Assembly Bill No. 653, above reported.
Read first and second times.
Rules suspended, and, by unanimous consent, read third time, and passed.

Assembly Bill No. 504, above reported.
Read first and second times.
Rules suspended, and, by unanimous consent, read third time, and passed.

Assembly Bill No. 136 was referred to the Judiciary Committee.
Assembly Bill No. 754, above reported.
Read first and second times.
Rules suspended, and, by unanimous consent, read third time, and passed.

Assembly Joint Resolutions Nos. 65 and 41, above reported.
Each read first and second times, and referred to the Committee on Federal Relations.

Assembly Bill No. 500, above reported.
The Senate refused to recede from its amendments to the bill, and, on motion of Mr. Satterwhite, a committee of conference was ordered on the disagreeing vote.

Senate Bills Nos. 364 and 530.
Assembly amendments to the bills concurred in.
Assembly Bill No. 739, above reported.
Read first and second times.
Rules suspended, and, by unanimous consent, read third time, and passed.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows:

By Mr. Hilborn: Senate Bill No. 580—An Act to incorporate the Town of Dixon.

By Mr. Smith: Senate Bill No. 581—An Act entitled an Act to revise an Act entitled an Act to revise an Act to amend the charter of the City of Los Angeles, to define its limits and rights, to enlarge its powers, and provide for its more efficient government, approved April first, eighteen hundred and seventy-six.

Each of the above bills read first and second times, and referred to the delegations named in the bills.

Also, Senate Bill No. 582—An Act to repeal section two hundred and ninety-nine of the Civil Code, in relation to corporations.

Also, Senate Bill No. 583—An Act to amend certain sections of the Code of Civil Procedure, in reference to attachments.

Also, Senate Bill No. 584—An Act to amend certain sections of the Penal Code.

Also, Senate Bill No. 585—An Act to amend certain sections of the Political Code, in reference to the levy of executions.

Each of the above bills read first and second times, and referred to the Judiciary Committee.

Also, Senate Bill No. 586—An Act to authorize the Council of the City of Los Angeles to audit and pay to John S. Griffin, the amount of a warrant heretofore drawn in his favor.

Read first and second times, and referred to the delegation from Los Angeles County.

Also, Senate Bill No. 587—An Act to amend section one thousand six hundred and eighteen of the Code of Civil Procedure, in relation to the compensation of executors and administrators.

Read first and second times, and referred to the Judiciary Committee.

Also, Senate Bill No. 588—An Act authorizing the City and County of Los Angeles to construct a Court-house and Jail.

Read first and second times, and referred to the delegation from Los Angeles County.

Also, Senate Bill No. 589—An Act to add a new section to the Code of Civil Procedure, to be numbered section one thousand and forty, and providing for counsel fees in certain cases.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Brown of Amador: Senate Bill No. 590—An Act to authorize the Board of Supervisors of Amador County to levy a special tax for bridge purposes in Township Number One.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed, and ordered to the Assembly without engrossment.

By Mr. Haymond: Senate Bill No. 591—An Act in relation to pardons.

Also, Senate Bill No. 592—An Act to amend the Code of Civil Procedure.

Also, Senate Bill No. 593—An Act entitled an Act to amend section two hundred and seventy-six of the Code of Civil Procedure.

Each of the above bills read first and second times, and referred to the Judiciary Committee.

By Mr. Howe: Senate Bill No. 594—An Act to confer additional powers on the Board of Supervisors of the City and County of San Francisco.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed, and ordered to the Assembly without engrossment.

Also, Senate Bill No. 595—An Act to amend sections two thousand four hundred and fifty-seven, two thousand four hundred and sixty-six, and two thousand four hundred and sixty-seven, of the Political Code.

Read first and second times, and referred to the Committee on Commerce and Navigation.

By Mr. Smith: Senate Bill No. 596—An Act to establish the boundary line between the Counties of Los Angeles and San Bernardino.

Read first and second times, and referred to the delegations from the counties named in the bill.

Also (by request), Senate Bill No. 597—An Act to amend an Act entitled an Act to regulate fees in office.

Read first and second times, and referred to the Judiciary Committee.

By Mr. McCoppin: Senate Bill No. 598—An Act to close an unused street in San Francisco.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

On motion of Mr. Goodwin, Senate Bill No. 545, in relation to Peanut Inspector, was made a special order for Monday, April first, at eleven o'clock at night.

Mr. Rogers submitted a report, as follows:

MR. PRESIDENT: Your Committee on Contingent Expenses, to whom was referred Senate Resolution No. 140, have amended the same by striking out "five dollars," and inserting in lieu thereof "three dollars," from the tenth day of January, eighteen hundred and seventy-eight—report it back, and recommend passage of resolution as amended.

GEO. H. ROGERS, Chairman.

The resolution, reading as follows, was taken up:

Resolved, That A. Morrissey be allowed the sum of three dollars per diem, from the tenth day of January, eighteen hundred and seventy-eight, as Clerk to the Committee on Commerce and Navigation, payable out of the appropriation for the contingent expenses of the Senate.

Adopted.

Mr. Hilborn (by request) offered a resolution, providing for paying Patrick Levey for extra services rendered in lighting and taking care of the gas-burners and fixtures in Senate Chamber.

Referred to the Committee on Contingent Expenses.

On motion of Mr. Haymond, substitute for Assembly Bill No. 289 was ordered printed.

GENERAL FILE.

On motion of Mr. Haymond, all bills objected to were to be passed on file.

Senate Bills Nos. 443, 110, substitute for Senate Bill No. 316, Senate Bills Nos. 413, 439, 482, 415, 526, and 290, were passed on file.

Senate Bill No. 323—An Act for the relief of Add. C. Hinkson.

Indefinitely postponed.

Senate Bill No. 334—An Act to appropriate twenty-five thousand dollars, to be used conjointly with a like sum of twenty-five thousand dollars donated by H. D. Bacon, for the construction of a building to be erected on the State University grounds, in Alameda County, for a library and art gallery.

Rules suspended, considered engrossed, read third time, and passed.

Ordered to the Assembly without engrossment.

Senate Bill No. 363—An Act for the relief of purchasers of State lands.

Amended.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 502—An Act authorizing the State Board of Capitol Commissioners to purchase certain portraits.

Laid on table.

Senate Bill No. 519—An Act to amend an Act entitled an Act to authorize the County Treasurer of El Dorado County to transfer cer-

tain funds, approved March sixteenth, eighteen hundred and seventy-six.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Bill No. 631—An Act to authorize the Board of Trustees of Truckee School District, Nevada County, to pay certain claims.

Amended.

Read third time, and passed.

Senate Bill No. 504—An Act to repeal an Act entitled an Act for the protection of game in Nevada County.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Bill No. 384—An Act amending section four hundred and fifteen of the Penal Code, in relation to crimes against the public peace.

Amendments adopted.

Read third time, and passed.

Assembly Bill No. 520—An Act to provide for the improvement and maintenance of the public roads in the County of El Dorado.

Read third time, and passed.

Assembly Bill No. 572—An Act in relation to certain officers in Plumas County, and fix the compensation thereof.

Read third time, and passed.

Senate Bill No. 466—An Act to create the office of State Gauger of wines and spirituous liquors, and to define his duties.

And Senate Bill No. 481—An Act to amend section three hundred and thirty-seven, three hundred and forty, and three hundred and forty-one, and to repeal section three hundred and thirty-eight of the Civil Code of the State of California.

Each indefinitely postponed.

Senate Bill No. 561—An Act to amend an Act, approved April first, eighteen hundred and seventy-six, entitled an Act to extend the Act of April twenty-first, eighteen hundred and fifty-six, approved April first, eighteen hundred and sixty-four.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 377—An Act to provide for a levee, drainage, and road district in the County of Yolo.

Mr. Lambert offered an amendment.

Ordered at foot of general file.

Assembly Bill No. 242—An Act to legalize assessments in Swamp Land District Number Two Hundred and Twenty-one, and to provide for the collection of taxes.

Read third time, and passed.

Assembly Bill No. 562—An Act fixing the fees and compensation of the District Attorney of the County of San Luis Obispo.

Read third time, and passed.

Assembly Bill No. 605—An Act for the relief of the bondsmen of W. W. Hill, late Treasurer of the County of Fresno.

Read third time, and passed.

Senate Bill No. 550—An Act to provide a sufficient number of deputies for the County Assessor of Santa Cruz County.

Rules suspended, considered engrossed, read third time, and passed.

Ordered to the Assembly without engrossment.

Senate Bill No. 368—An Act to quiet title to land in the County of Yolo.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 486—An Act to amend an Act entitled an Act to amend an Act entitled an Act to provide for official valuation of life insurance policies, approved April fourth, eighteen hundred and seventy, approved February thirteenth, eighteen hundred and seventy-two.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 541—An Act to amend the Political Code of the State of California, by adding a new section thereto.

Made a special order for Thursday next, at one o'clock P. M.

Senate Bill No. 55—An Act to regulate the assessment of migratory herds of live stock, and to provide for the equitable distribution of the taxes derived therefrom.

Indefinitely postponed.

Senate Bill No. 487—An Act for the relief of W. W. Brown, Administrator of the estate of E. L. Brown, deceased.

Indefinitely postponed.

Senate Bill No. 498—An Act authorizing the State Board of Examiners to allow certain claims against the State.

Indefinitely postponed.

Senate Bill No. 546—An Act to amend sections three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety, and three thousand seven hundred and ninety-seven of the Political Code.

Mr. Smith offered an amendment.

Referred to the Judiciary Committee, with pending amendment.

Senate Bill No. 513—An Act to refund to Tehama County the State's portion of taxes unlawfully collected.

Amendments concurred in.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 541—An Act for relief of the purchasers of State lands.

Re-referred to the Committee on Public Lands.

Senate Bill No. 544—An Act to provide for the construction of a railroad from Ione, in the County of Amador, to a point in or near the Town of Sutter Creek or Jackson, in said county, and to regulate fares and freights thereon.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 578—An Act to authorize the Board of Supervisors of San Bernardino County to purchase the franchise of a toll road company.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Bill No. 252—An Act to prevent hogs from running at large in the Towns of Lakeport and Lower Lake, in Lake County.

Read third time, and passed.

Assembly Bill No. 266—An Act to amend an Act entitled an Act to re-incorporate the City of Petaluma, approved March twenty-seventh, eighteen hundred and sixty-eight, and supplemental thereto.

Read third time, and passed.

Assembly Bill No. 337—An Act to prevent buck goats running at large.

Read third time, and passed.

Assembly Bill No. 343—An Act to prevent the sale of oleomargarine under the name and pretense that said commodity is butter.

Read third time, and passed.

Assembly Bill No. 393—An Act to provide for the payment of unused and uncanceled stamps of the State of California heretofore sold.

Read third time, and passed.

Assembly Bill No. 469—An Act to authorize the Board of Supervisors of Lake County to levy and collect a special tax for the extermination of squirrels in said county.

Read third time, and passed.

Assembly Bill No. 622—An Act to fix the terms of the County and Probate Courts in and for the County of Modoc.

Read third time, and passed.

UNFINISHED BUSINESS.

Governor's message, with his reasons for withholding his approval of Senate Bill No. 252—An Act to provide for the payment of the Seventh Street Commission, in and for the City and County of San Francisco.

On motion of Mr. Pierson, the message was made a special order for Wednesday next, at twelve o'clock M.

ADJOURNMENT.

At three o'clock and thirty minutes P. M., on motion of Mr. Hilborn, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
TUESDAY, March 19th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boring, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Donovan, Evans, Flint, Goodwin, Gwin, Haymond, Hilborn, Howe, Lambert, Lewis, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

The Journal of yesterday not read, and approved, by general consent.

Mr. Hill was granted one day's leave of absence.

SPECIAL ORDER—TUESDAY, MARCH NINETEENTH, AFTER ROLL-CALL.

Assembly Bill No. 433—An Act creating a Board of Bank Commissioners, and prescribing their duties and powers.

Reported from the Committee of the Whole with amendments.

Amendments to the bill concurred in.

Mr. Lewis moved to strike out the word "people" in the enacting clause.

Lost.

Mr. Haymond offered an amendment, as follows:

Section 1. On or before the fifteenth day of May, A. D. eighteen hundred and seventy-eight, the Governor shall appoint a competent person, who shall be an expert of accounts, to be styled Bank Commissioner, who shall hold office for the period of four years, and until his successor is appointed and qualified. The person so appointed shall have no official connection with, nor be in the employ of any saving bank, or bank, or banking company, or banking society, nor shall he, during his term of office, own or be interested in the stock or other property thereof. Said Commissioner shall have his office in the City of San Francisco.

Lost.

Mr. Craig moved to lay the bill on the table.

On which the ayes and noes were demanded by Messrs. Craig, Lambert, and Brown of El Dorado, and the Senate refused by a vote, as follows:

AYES—Messrs. Beazell, Brown of El Dorado, Coleman, Craig, Crane, Goodwin, Lewis, and Montgomery—8.

NOES—Messrs. Bones, Curtis, Donovan, Evans, Flint, Gwin, Haymond, Hilborn, Lambert, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Ream, Satterwhite, Searls, Shirley, Smith, and Whitney—20.

Mr. Donovan offered an amendment.

Lost.

Read third time.

On the passage of the bill, the ayes and noes were demanded by the requisite number, and it passed by a vote, as follows:

AYES—Messrs. Beazell, Boring, Brown of Amador, Curtis, Dean, Donovan, Evans, Flint, Gwin, Hilborn, Howe, Lambert, Lewis, McCarthy, McCarvey, Murphy of San Francisco, Ream, Rogers, Searls, Shirley, Smith, and Whitney—22.

NOES—Messrs. Bones and Montgomery—2.

Mr. Lewis gave notice that he would, on to-morrow, move to reconsider the vote by which the bill passed.

On motion of Mr. Nunan, the special order set for one o'clock to-day was postponed until twelve o'clock and thirty minutes P. M. to-morrow.

REPORTS.

Reports were submitted, as follows:

By Mr. McCarthy:

SENATE CHAMBER,
SACRAMENTO, March 19th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined and find correctly enrolled, Senate Bill No. 523—An Act supplementary to and amendatory of an Act entitled an Act to regulate and limit the payment of money out of the treasury of the City and County of San Francisco, approved February twenty-sixth, eighteen hundred and seventy-eight.

Also, substitute for Senate Bill No. 81—An Act for the relief of Henry F. Williams, and to provide for the payment of certain money equitably due said Williams.

Also, Senate Bill No. 305—An Act to authorize certain appropriations of money by the Board of Supervisors of the City and County of San Francisco.

Also, Senate Bill No. 434—An Act for the relief of Klamath School District, Siskiyou County, California.

Also, Senate Bill No. 444—An Act to quiet title to town lots in the City of Visalia.

Also, Senate Bill No. 291—An Act to amend an Act entitled an Act to amend an Act entitled an Act to incorporate the Town of Watsonville, Santa Cruz County, California, approved March third, eighteen hundred and sixty-eight.

Also, Senate Bill No. 264—An Act to authorize the Trustees of Snelling School District, of Merced County, to pay the debt of said district.

Also, Senate Bill No. 31—An Act to amend section one thousand five hundred and seventy-six of the Political Code.

Also, Senate Bill No. 389—An Act to prevent the trespassing of animals upon private property in the County of Yolo.

Also, Senate Bill No. 269—An Act to ratify and confirm order number one thousand four hundred and four of the Board of Supervisors of the City and County of San Francisco.

Also, Senate Bill No. 361—An Act to authorize the issuance of bonds for the payment of damages for the widening and extension of Los Angeles Street, in the City of Los Angeles.

Also, substitute for Senate Bill No. 176—An Act supplemental to and amendatory of an Act entitled an Act to regulate the practice of medicine in the State of California, approved April third, eighteen hundred and seventy-six.

And this day, at one o'clock and thirty minutes p. m., presented the same to the Governor.

And also, in accordance with resolution passed by your honorable body, herewith return you Senate Bill No. 476.

McCARTHY, Chairman.

By Mr. Flint:

SENATE CHAMBER,
SACRAMENTO, March 18th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 307—An Act to establish a scale for the measurement of logs.

Also, Senate Joint Resolution No. 49—Relative to a sea-wall at Santa Barbara.

Also, Senate Bill No. 528—An Act relative to the Board of Supervisors of Sacramento County.

Also, Senate Bill No. 549—An Act to define the boundary, provide for care, strengthening, and repairing of the levee, and for the payment of the indebtedness of Levee District Number One, of Sutter County, approved March twentieth, eighteen hundred and seventy-four.

Also, Senate Bill No. 430—An Act to create a bureau of labor, and statistics of labor, in the State of California.

Also, Senate Bill No. 271—An Act conferring additional powers upon the Board of Supervisors and the Auditor and Treasurer of the City and County of San Francisco.

FLINT, for Committee.

By Mr. McGarvey:

MR. PRESIDENT: The Judiciary Committee, to whom was referred Assembly Bill No. 417—An Act giving a lien to loggers and laborers employed in logging camps upon the logs cut and hauled by the persons who employ them—have had the same under consideration, and report it back with a substitute, and recommend the passage of the substitute.

Also, Senate Bill No. 542—An Act to amend section three thousand five hundred and fifteen of the Political Code, relating to certificates of purchase—report the same back, and recommend that it do not pass.

Also, Senate Bill No. 572—An Act to amend section two hundred and forty-eight of the Political Code—report the same back, and recommend that it do not pass.

Also, Senate Bill No. 493—An Act to amend section four thousand four hundred and twenty-five of the Political Code—report the same back, and recommend its passage.

Also, Senate Bill No. 554—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure—report the same back, and recommend that it do not pass.

Also, Assembly Bill No. 326—An Act to amend sections three thousand six hundred and ninety-six, three thousand eight hundred and sixteen, three thousand eight hundred and twenty-nine, three thousand eight hundred and sixty-six, three thousand eight hundred and sixty-eight, and four thousand and eighty-three of the Political Code, in relation to delinquent taxes, and settlement of county taxes with the Controller of State—report the same back, a majority recommending its passage.

Also, Assembly Bill No. 442—An Act to add a new section to the Code of Civil Procedure, relating to writings—report the same back, and recommend its passage.

Also, Assembly Bill No. 423—An Act to amend section eight hundred and seventy-one of the Code of Civil Procedure, relative to defaults in Justices' Courts—report the same back, and recommend that it do not pass, as it is already the law.

Also, Assembly Bill No. 412—An Act to cure defects in the application of John D. Justice to purchase lands from the State of California—report the same back, and recommend that it be referred to the Committee on Swamp, Overflowed, and Public Lands.

Also, Assembly Bill No. 424—An Act to amend section eight hundred and sixty of the Political Code of California, relative to the oath of office of Notaries Public—report the same back, and recommend its passage.

Also, Assembly Bill No. 425—An Act to amend section nine hundred and nine of the Political Code of California, relative to the oath of office of County Judges and County Clerks—report the same back amended, and recommend its passage as amended.

Also, Assembly Bill No. 150—An Act to amend sections one thousand and thirty-three and one thousand and thirty-five of the Penal Code, in reference to change of place of trial—report the same back, and recommend that it do not pass.

Also, Assembly Bill No. 189—An Act to amend section nine hundred and fifty-six of the Penal Code, in reference to injuries to person and property—report the same back, and recommend that it do not pass.

Also, Assembly Bill No. 271—An Act to repeal section three hundred and fifteen of the Code of Civil Procedure—report the same back, and recommend that it do not pass.

Also, Assembly Bill No. 311—An Act to amend Article Eight, Chapter Three, Title Seven, of the Political Code, by adding thereto a section, to be numbered section four thousand two hundred and fifty-nine, fixing the qualifications of District Attorneys—report the same back, and recommend that it do not pass.

Also, Assembly Bill No. 350—An Act to add a new section to the Penal Code, to prevent imposition from being practiced on settlers, by fraudulent publications—report the same back, and recommend that it do not pass.

Also, Assembly Bill No. 363—An Act to amend section three thousand and fifty-one of the Civil Code, in reference to liens for services—report the same back, and recommend its passage.

Also, Assembly Bill No. 452—An Act to amend section nine hundred and fifty-four of the Code of Civil Procedure, in relation to appeals to the Supreme Court—report the same back, and recommend that it do not pass.

Also, Assembly Joint Resolution No. 59—Relative to the production of sugar from beets and melons, etc.—report the same back, and recommend its passage.

Also, Assembly Bill No. 554—An Act to amend section three thousand seven hundred and eighty-eight of the Political Code, in regard to the title conveyed by deed to purchasers of lands sold for delinquent taxes, and the entry of State lands sold at a delinquent sale—report the same back; a majority recommend its passage.

Also, Assembly Bill No. 601—An Act to authorize the Surveyor-General to collect from the United States moneys that may become due the State of California, on account of sales of lands in this State—report the same back, and recommend that it be referred to the Committee on Swamp, Overflowed, and Public Lands.

McGARVEY, Chairman.

The bills, above reported, requesting reference to certain committees, were so referred.

By Mr. Lewis:

MR. PRESIDENT: Your Committee on Education have had under consideration Assembly Bill No. 438—An Act to amend section one thousand five hundred and seventeen of the Political Code, in relation to the State Board of Education—and report the same back with amendments, without recommendation.

Also, Assembly Bill No. 636—An Act to amend section one thousand six hundred and seventeen of the Political Code, relating to the general powers of Boards of Trustees and Education—and report the same back, with a recommendation that it pass.

Also, Assembly Bill No. 223—An Act to amend section one thousand seven hundred and fifty of the Political Code, in regard to the issuance of certificates without examination—and report the same back, with a recommendation that it do not pass.

Also, Assembly Bill No. 302—An Act to amend certain sections of the Political Code, relating to the School Law of California—report the same back, with passage recommended.

LEWIS, Chairman.

By Mr. Pierson:

MR. PRESIDENT: Your Committee on Public and Swamp and Overflowed Lands has had under consideration the following bills, and report the same back with the following recommendations:

Assembly Bill No. 349—An Act in relation to reclamation in the County of Colusa, and that part of Yolo County which is in Reclamation District Number One Hundred and Eight—and recommend that the same do not pass.

Senate Bill No. 515—An Act to amend sections three thousand four hundred and fifty-two, three thousand four hundred and fifty-three, three thousand four hundred and fifty-four, three thousand four hundred and fifty-five, three thousand four hundred and fifty-six, three thousand four hundred and fifty-nine, three thousand four hundred and sixty-one, three thousand four hundred and sixty-two, three thousand four hundred and sixty-six, three thousand four hundred and seventy-one, and three thousand four hundred and eighty-one of the Political Code—without recommendation.

Senate Bill No. 453—An Act to amend section three thousand five hundred and seventy-four of the Political Code of the State of California—and recommend that the same do not pass.

Senate Bill No. 246—An Act to amend the Political Code of the State of California—and recommend that the same do not pass.

Senate Bill No. 541—An Act for the relief of the purchasers of State lands—with an amendment, and recommend the adoption of the amendment, and the passage of the bill as amended.

Senate Bill No. 152—An Act for the relief of purchasers of State lands, and to cure defects in applications to purchase and to confirm titles thereto—and recommend that same do not pass.

Your committee have also prepared a bill, entitled—An Act to amend an Act entitled an Act for the relief of purchasers of State lands, approved March twenty-seventh, eighteen hundred and seventy-two—and recommend that the same be placed on file and passed.

They have also considered Senate Bill No. 494, and adopted a substitute therefor, and recommend the passage of the substitute.

PIERSON, Chairman.

The report of the Senate Committee on State Hospitals and Asylums, twenty-second session, was submitted by Mr. Ream, Chairman of the committee.

Ordered printed.

(See Senate appendix.)

By Mr. Searls:

MR. PRESIDENT: The Committee on Corporations have had under consideration Assembly Bill No. 353—An Act to protect stockholders and persons dealing with corporations in this State—and recommend that the same do pass.

NILES SEARLS, Chairman.

By Mr. Ream:

MR. PRESIDENT: The Hospital Committee, to whom was referred Assembly Bill No. 639—have had the same under consideration, report it back, and recommend that it do not pass.

D. REAM, Chairman.

By Mr. Brown of El Dorado:

MR. PRESIDENT: The delegation, to whom was referred Assembly Bill No. 602—An Act to confer certain powers upon the Board of Auditors of El Dorado County—having had the same under consideration, report it back to the Senate, and recommend its passage.

BROWN, for the Delegation.

Mr. Hilborn submitted a report, as follows:

MR. PRESIDENT: Your Committee, appointed to consider the propriety of paying the members of the Special Committee on Chinese Immigration, have had the matter under consideration, and make the following report: * * * * *

We, therefore, recommend the adoption of the following resolution:

Resolved, That the Senate of the State of California hereby tenders its thanks to the Special Committee of the Senate on Chinese Immigration, for the able manner in which they have discharged the duties imposed upon them by this body.

Resolved, That there be paid to the members of that committee, out of the Contingent Fund of the Senate, the following named sums as mileage and per diem for their services while engaged in the performance of their duties, viz.:

To Hon. Creed Haymond.....	\$345 60
Hon. E. J. Lewis.....	602 40
Hon. Geo. S. Evans.....	436 00
Hon. M. J. Donovan.....	300 40
Hon. Wm. M. Pierson.....	300 40
Hon. Geo. H. Rogers.....	300 40
Hon. Frank McCoppin.....	300 40

Respectfully submitted,

S. G. HILBORN,
J. C. MURPHY,
J. LAMBERT.

The resolution was adopted.

(For report, see Senate appendix.)

Mr. Murphy of San Luis Obispo, for the delegation, verbally reported Assembly Bill No. 680, amended, and Assembly Bill No. 679, recommending the passage of Assembly Bill No. 679, and of Assembly Bill No. 680 as amended.

Mr. Shirley, for the delegation, verbally reported Assembly Bill

No. 652, recommending passage as amended—An Act to amend an Act entitled an Act to incorporate the Town of San Rafael, approved March eighteenth, eighteen hundred and seventy-four.

Mr. Rogers, for the delegation, verbally reported, recommending the passage of the bill, Assembly Bill No. 536—An Act amendatory of and supplementary to an Act entitled an Act to prescribe the duties and provide the salaries of certain officers of San Mateo County, and authorize the issue of bonds for road purposes, and other matters relating thereto, approved March eighteenth, eighteen hundred and seventy-four.

Also, Assembly Bill No. 691—An Act to confer certain powers on the Supervisors of the County of San Mateo.

Mr. Lewis, for the delegation, verbally reported, recommending passage of the following bills: Assembly Bill No. 692—An Act relating to fees of Justices of the Peace in Colusa County.

Also, Assembly Bill No. 676—An Act fixing the amount of the official bonds of Colusa County.

Also, Assembly Bill No. 677—An Act to confer certain powers on the Board of Supervisors of Colusa County, and fixing the time for the meetings.

By Mr. Goodwin, for the delegation, recommending passage, Assembly Bill No. 429—An Act to amend an Act entitled an Act for the incorporation of the Town of Wheatland, approved March thirteenth, eighteen hundred and seventy-four.

Rules suspended, and the bills taken up.

Read third time, and passed.

By Mr. McGarvey, with an amendment, Assembly Bill No. 474—An Act to provide for the construction and repair of bridges in the County of Mendocino—recommending passage as amended.

By Mr. Crane, Assembly Bill No. 351—An Act to extend the time for the redemption of certain property sold for taxes in Plumas County—recommending passage.

Mr. Lewis, for the Joint Committee on Free Conference, submitted the following report:

MR. PRESIDENT: Your Committee on Free Conference, appointed to confer with a like committee of the Assembly, in relation to the differences between the two Houses as to Assembly Bill No. 436—An Act to provide for a Convention to frame a new Constitution for the State of California—begs leave to report that, after a full consideration, the committees of both Houses unanimously recommend the following:

That the Senate recede from amendments Nos. 8, 9, and 15.

That the Assembly concur in amendments Nos. 3 and 7.

And that the Assembly adopt two other amendments, herewith reported—one to section four, and the other to section five—and that the Senate concur in the same.

E. J. LEWIS,	} Committee of Senate.
WM. M. PIERSON,	
S. G. HILBORN,	
BYRON WATERS,	} Committee of Assembly.
R. C. HAILE,	
RUSS. McCOMAS,	

The report was adopted, and the Senate concurred in the Assembly amendments to the bill.

By Mr. Ream:

SENATE CHAMBER.)
SACRAMENTO, March 19th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 570—An Act to amend an Act entitled an Act to provide for the

incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-one.

Also, Senate Bill No. 571—An Act to repeal section four hundred and seventy-one of the Civil Code.

D. REAM, for Committee.

GOVERNOR'S MESSAGE.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
SACRAMENTO, March 19th, 1878. }

To the Senate of the State of California :

I have the honor to inform your honorable body that I have approved Senate Bills No. 1—An Act to establish and maintain free public libraries and reading-rooms.

No. 299—An Act to amend section seven hundred and ninety-one of the Political Code.

Substitute for Senate Bill No. 353—An Act for the encouragement of agricultural and other industries.

No. 523—An Act supplementary to and amendatory of an Act entitled an Act to regulate and limit the payment of money out of the treasury of the City and County of San Francisco, approved February twenty-sixth, eighteen hundred and seventy-eight.

No. 141—An Act to amend section two thousand five hundred and fifty-two of an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two, and to add a certain new section thereto, approved February twenty-eighth, eighteen hundred and seventy-six.

Substitute for Senate Bill No. 212—An Act to amend sections two thousand five hundred and twenty-seven and two thousand five hundred and thirty-six of the Political Code, concerning the construction of the sea-wall of San Francisco.

No. 57—An Act to reimburse the County of Placer for moneys expended in the collection of State taxes.

WILLIAM IRWIN, Governor.

ASSEMBLY MESSAGES.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER, }
SACRAMENTO, March 19th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the fifteenth day of March, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 643—An Act to authorize and facilitate the repairing of streets and sewers in the City and County of San Francisco, in case of urgent necessity.

Assembly Bill No. 687—An Act to refund certain moneys to the County of Mendocino.

Assembly Bill No. 705—An Act to confer certain powers on the Board of Supervisors of the County of Butte.

Assembly Bill No. 661—An Act to provide for the building of and furnishing a Court-house, offices, and Jail in Napa County, and for improving the Court-house grounds.

Assembly Bill No. 663—An Act to authorize the Board of Supervisors of Napa County to transfer a certain fund.

Assembly Bill No. 665—An Act to amend an Act entitled an Act to regulate the salaries and fix the compensation of certain officers in the County of Napa, approved March sixteenth, eighteen hundred and seventy-four.

Assembly Bill No. 667—An Act to amend an Act entitled an Act to encourage the destruction of squirrels, gophers, and other wild animals, in the Counties of Los Angeles, Napa, Merced, San Bernardino, approved February thirteenth, eighteen hundred and seventy-eight, as to Napa County.

Assembly Bill No. 628—An Act to authorize the Board of Supervisors of the City and County of San Francisco to order Baker Street graded.

Assembly Bill No. 567—An Act to authorize the maintenance of booms in Elk River, and the removal of obstructions from said stream.

Assembly Bill No. 700—An Act concerning the office of Sheriff of Butte County, and to fix his compensation in certain cases.

Assembly Bill No. 9—An Act to change the grade of certain streets in the City and County of San Francisco.

Assembly Bill No. 711—An Act in relation to the distribution of school moneys in Fresno County.

Assembly Bill No. 658—An Act to encourage the destruction of squirrels and gophers in the County of San Joaquin.

Assembly Bill No. 651—An Act concerning the election of Road Overseers in Marin County.

Assembly Bill No. 735—An Act to repeal an Act entitled an Act to authorize Isaac Bluxome to remove from his private property, on the Rancho de Méroclacon, in Sonoma County, State of California, certain dead bodies to a public graveyard, approved March thirtieth, eighteen hundred and seventy-two.

Assembly Bill No. 113—An Act to provide for reorganizing and better regulating the Paid Fire Department of the City and County of San Francisco.

Assembly Bill No. 585—An Act supplementary to an Act fixing the salaries and compensation of certain officers of San Luis Obispo County, approved March thirty-first, eighteen hundred and seventy-six.

Assembly Bill No. 662—An Act relative to the powers and duties of the Sheriff of Alameda County, in the matter of attachments of property in said county.

Assembly Bill No. 659—An Act to amend an Act entitled an Act to incorporate the Town of Chico, Butte County, California, approved January eighth, eighteen hundred and seventy-two.

Assembly Bill No. 713—An Act to repeal an Act entitled an Act to extend the time for selling property for delinquent taxes in the County of Alpine, approved March twenty-second, eighteen hundred and seventy-six.

Assembly Bill No. 715—An Act supplementary to an Act entitled an Act to re-incorporate the City of Sonora, Tuolumne County, approved January twenty-fourth, eighteen hundred and seventy-eight.

Assembly Bill No. 737—An Act to confer additional power on the Board of Supervisors of the County of Contra Costa.

Assembly Bill No. 545—An Act to authorize the Board of Supervisors of the City and County of San Francisco to open Valencia Street, in said city and county, from a point about two hundred feet north of Mission Street to the northwest line of Mission Street, and to condemn property for the roadway of said street.

Assembly Bill No. 522—An Act to organize Levee District Number One of Sacramento County, and provide for its government.

Assembly Bill No. 521—An Act to confer upon the City of Sacramento the power to construct canals and levees as may be necessary to its drainage and to its permanent protection from overflow.

Assembly Bill No. 751—An Act to amend an Act entitled an Act to incorporate the City of Monterey, approved May eleventh, eighteen hundred and fifty-three, approved March fourth, eighteen hundred and fifty-seven.

Assembly Bill No. 748—An Act to authorize the Board of Supervisors of Mendocino County to issue bonds for road and bridge purposes.

Assembly Joint Resolution No. 67—Relative to a weekly mail route from the county seat of Fresno County, via Liberty, to Waltham Cañon, Fresno County.

Assembly Bill No. 668—An Act to authorize the Board of Supervisors of Napa County to pay certain claims.

Assembly Bill No. 566—An Act to amend an Act entitled an Act to prevent the propagation of the Scotch and Canada thistle in the Counties of Humboldt, Siskiyou, Del Norte, and Alameda, approved March second, eighteen hundred and seventy-two.

Assembly Bill No. 495—An Act to amend sections thirteen and nineteen of an Act entitled an Act to re-incorporate and extend the limits of the Town of San Buenaventura, in the County of Ventura, State of California, and also to change the name of Canada Street, in said town, to Ventura Avenue, approved March twenty-fourth, eighteen hundred and seventy-six.

Assembly Bill No. 239—An Act to amend an Act entitled an Act to provide for the collection of delinquent taxes in the City and County of San Francisco, approved April third, eighteen hundred and seventy-six.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 18th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 176—An Act supplemental to and amendatory of an Act entitled an Act to regulate the practice of medicine in the State of California, approved April third, eighteen hundred and seventy-six.

Also, passed, and ordered transmitted without engrossment, Assembly Bill No. 486—An Act concerning gas companies.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 19th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the eighteenth day of March, A. D. eighteen hundred and seventy-eight, passed Senate Bill No. 263—An Act to provide for the appointment of a Reporter of the decisions of the Supreme Court.

Amended and passed Senate Bill No. 108—An Act to amend section forty of the Civil Code.

Also, Senate Bill No. 114—An Act to amend section one thousand seven hundred and forty-six of the Political Code.

Also, Senate Bill No. 317—An Act to confirm the title to certain property on the water front, in the City and County of San Francisco.

And indefinitely postponed Senate Bill No. 244—An Act to provide for the payment, by the State of California, of the costs of certain criminal cases.

Also, Senate Bill No. 224—An Act to amend section three thousand three hundred and eighty-two of the Political Code, by removing taxation from the manufactured products of wheat.

Also, adopted Assembly Concurrent Resolution No. 69—Relative to Senate Bill No. 476.

And, on this day, adopted the following resolution :

Resolved, That the Senate be requested to return to the Assembly Senate Bill No. 476—An Act to amend an Act entitled an Act for the improvement of the streets of the City of Sacramento, approved March eighth, eighteen hundred and seventy-eight—for amendment.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 19th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, amended and passed Assembly Bill No. 204—An Act to pay the claim of Mary A. Springer, widow and heir of Thomas A. Springer, late State Printer, deceased.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Concurrent Resolution No. 59, above reported, was concurred in, and Senate Bill No. 476 was ordered returned to the Assembly as per the request of that body.

Assembly Bills Nos. 643, 705, 661, 663, 665, 667, 700, 9, 711, 658, 651, 113, 585, 662, 737, 545, 522, 521, 748, 668, 495, and 566, above reported.

Each read first and second times, and referred to the delegations named in the bills.

Assembly Bills Nos. 687 and 713, above reported.

Read first and second times, and referred to the Committee on Finance and Claims.

Assembly Bill No. 567, above reported.

Read first and second times, and referred to the Committee on Commerce and Navigation.

Assembly Bill No. 735, above reported.

Read first and second times, and referred to the Committee on Hospitals.

Assembly Bills Nos. 751 and 239, above reported.

Each read first and second times, and referred to the Judiciary Committee.

Assembly Bill No. 486, above reported.

Read first and second times, and referred to the Committee on Corporations.

Assembly Joint Resolution No. 67, above reported.

Read first and second times, and referred to the Committee on Federal Relations.

Assembly Bill No. 628, above reported.

Read first and second times.

Rules suspended, and, by unanimous consent, read third time, and passed.

Assembly Bill No. 659, above reported.

Read first and second times.

Rules suspended, and, by unanimous consent, read third time, and passed.

Assembly Bill No. 715, above reported.

Read first and second times

Rules suspended, and, by unanimous consent, read third time, and passed.

Senate Bill No. 108, above reported.

Referred to the Judiciary Committee.

Senate Bill No. 114, above reported.

Referred to the Committee on Education.

Senate Bill No. 317, above reported.

Referred to the Committee on Commerce and Navigation.

Senate Bill No. 204, above reported.

Assembly amendments concurred in.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows:

By Mr. McGarvey: Senate Bill No. 599—An Act for the issuing of licenses to hotel runners.

Read first and second times, and, with a memorial accompanying the same, referred to the Judiciary Committee.

By Mr. Murphy of Santa Clara: Senate Bill No. 600—An Act to grant additional powers to the Mayor and Common Council of the City of San José.

Read first and second times, rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed, and ordered to the Assembly without engrossment.

By Mr. Brown of El Dorado: Senate Bill No. 601—An Act to prevent the trespassing of animals upon private property in the City of Placerville, El Dorado County, California.

Read first and second times, and referred to the delegation.

By Mr. Smith: Senate Bill No. 602—An Act to authorize the Directors of the State Prison to make contracts for the hire of convicts to labor without the walls of the Prison.

Read first and second times, and referred to the Committee on State Prison.

By Mr. Howe: Senate Bill No. 603—An Act to authorize the City and County of San Francisco to allow and pay the claim of John O'Connor.

By Mr. Craig: Senate Bill No. 604—An Act to provide for ascertaining the amount of money that ought justly to be paid, as the actual cost and expense of grading Market Street, from Valencia to Seventeenth Street, in the City and County of San Francisco, and to provide for the payment of the same.

Each of the above bills read first and second times, and referred to the San Francisco delegation, and ordered not to be printed.

By Mr. Dean: Senate Bill No. 605—An Act to provide for the reduction of water-rates to consumers, in the City and County of San Francisco.

Read first and second times.

Considered engrossed, and, by unanimous consent, read third time, and passed, and ordered to the Assembly without engrossment.

By Mr. Shirley: Senate Bill No. 606—An Act to authorize William Hook, and his associates and assigns, to construct a canal, for shipping purposes, in Contra Costa County.

Read first and second times, and referred to the Committee on Commerce and Navigation.

By Mr. Nunan: Senate Bill No. 607—An Act to establish and maintain an asylum for the aged and infirm, and to be known as the State Asylum for aged and infirm.

Read first and second times, and ordered on the general file.

By Mr. Hilborn: Senate Bill No. 608—An Act to amend section one thousand nine hundred and nineteen of the Civil Code.

Read first and second times, and referred to the Committee on Corporations.

By Mr. Beazell: Senate Bill No. 609—An Act to amend an Act entitled an Act entitled an Act to district the City of Oakland into wards, approved February nineteenth, eighteen hundred and seventy-six.

Read first and second times, and ordered on the general file.

By Mr. Donovan: Senate Bill No. 610—An Act to limit the powers of the Board of Supervisors of the City and County of San Francisco.

By Mr. Murphy of San Francisco: Senate Bill No. 611—An Act to grant the right of way for a railroad track within the limits of the City and County of San Francisco.

Each of the above bills read first and second times, and referred to the San Francisco delegation, without printing.

By Mr. Haymond: Senate Bill No. 612—An Act to amend section three hundred and forty of the Code of Civil Procedure of the State of California.

Read first and second times, and referred to the Judiciary Committee.

By the Committee on Public Lands: Senate Bill No. 613—An Act to amend an Act entitled an Act for the relief of purchasers of State lands, approved March twenty-seventh, eighteen hundred and seventy-two.

Read first and second times, and ordered on the general file.

By Mr. Dean: Senate Joint Resolution No. 50—In reference to federal tax upon deposits in savings banks.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

Mr. Whitney submitted a report, as follows:

MR. PRESIDENT: Your Committee on Mileage beg leave to make the following report. We find that there is due the Committee on State Prison and Prison Buildings the following amounts:

Senator Shirley -----	\$36 00	Senator Hill -----	\$36 00
Senator Whitney -----	36 00	Senator Nunan (to San Quentin) -----	28 80
Senator Beazell -----	36 00	Senator Evans (to Folsom) -----	7 20
Senator Goodwin -----	36 00	C. L. Perkins, Clerk -----	36 00
Senator McGarvey -----	36 00		

Your committee beg leave to offer the following resolution:

Resolved, That the amounts stated in the above report be paid out of the Contingent Fund of the Senate.

WHITNEY, for Committee.

The resolution was adopted.

Mr. Crane offered a resolution, as follows:

Resolved, That P. H. Kean be and he is hereby allowed the sum of twenty-four dollars, the same to be paid out of the appropriation for the contingent expenses of the Senate, for services as Clerk.

Adopted.

ADJOURNMENT.

At three o'clock and fifty minutes P. M., on motion of Mr. Smith, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
WEDNESDAY, March 20th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

The Journal of yesterday not read, and same approved, on motion of Mr. Murphy of San Francisco.

PETITIONS.

Mr. Howe presented a memorial from several thousand property holders of San Francisco, in opposition to Senate Bill No. 54—An Act to extend Golden Gate Park to Market Street, in the City and County of San Francisco.

Received, and referred to the San Francisco delegation.

REPORTS.

Reports were submitted, as follows:

By Mr. Whitney:

MR. PRESIDENT: Your Committee on Mileage, to whom was referred the matter of the amount of mileage due the members of the Senate Committee on Public Buildings and Grounds, would report as follows:

To Senator Donovan	\$ 83 85
Senator Whitney	83 85
Senator Goodwin	83 85
Senator Nunan	83 85
Senator Beazell	62 25
Senator Bones	36 00
Senator Boring	38 40
P. J. O'Connor, Secretary	132 15

WHITNEY, for Committee.

Resolved, That the members of the Senate Committee on Public Buildings and the Clerk be allowed the amounts set opposite their respective names for mileage, as shown in the above report, to be paid out of the contingent fund of the Senate.

Adopted.

Also :

Resolved, That the members of the Hospital Committee and the Clerk be allowed the amounts set opposite to their respective names for mileage, as shown in the following report, said amounts to be paid out of the appropriation for the contingent expenses of the Senate.

MR. PRESIDENT: Your Committee on Mileage have had the above resolution under consideration, and beg leave to report the following as being the amount due the Hospital Committee and Clerk for mileage:

Senator Ream	\$100 50
Senator Flint	100 50
Senator Craig	42 00
Ed. J. Smith, Clerk	100 50

WHITNEY, for the Committee.

The resolution was adopted.

By Mr. Ream :

MR. PRESIDENT: The Committee on Hospitals, to whom was referred Assembly Bill No. 594—have had the same under consideration, report it back, and recommend its passage.

D. REAM, Chairman.

By Mr. Murphy of San Francisco :

MR. PRESIDENT: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 485—An Act to define the duties of Inspectors of Rifle Practice of the National Guard of California—report the same back, and recommend its passage.

Also, Assembly Bill No. 494—An Act to amend section one thousand nine hundred and thirty-seven of the Political Code, relative to returns of militia to County Assessor—recommend its passage.

Also, Assembly Bill No. 548—An Act making an appropriation for the payment of guard and other military duty performed in San Francisco in November, eighteen hundred and seventy-seven, and January, eighteen hundred and seventy-eight, by detachments of the National Guard, and other expenses appertaining thereto—recommending its passage.

J. C. MURPHY.

By Mr. Hilborn :

MR. PRESIDENT: The Committee on Fisheries and Game, to whom was referred Assembly Bill No. 369—Being an Act for the preservation of fish in the waters of Lake Tahoe—herewith report the same back, and recommend its passage.

HILBORN, Chairman.

By Mr. McGarvey :

MR. PRESIDENT: The Judiciary Committee, to whom was referred Assembly Bill No. 352—An Act to prohibit and punish the sale of adulterated syrup—report the same back, a majority recommending its passage.

Also, Senate Bill No. 546—An Act to amend sections three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety, and three thousand seven hundred and ninety-seven of the Political Code—report the same back, a majority recommend that it do not pass.

Also, Senate Bill No. 231—An Act to confer further powers on the Common Council of the City of Santa Barbara—report the same back, and recommend its passage.

Also, Senate Bill No. 497—An Act to amend section eight hundred and thirty-two of the Civil Code, concerning lateral and subjacent support of land—report the same back with an amendment, and recommend its passage as amended.

McGARVEY, Chairman.

By Mr. Howe :

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 489—An Act to amend certain sections of the Political Code, and to enact and add certain sections thereto, relating to pilots and pilot regulations—have had the same under consideration, report it back, and recommend its passage as amended.

HOWE, Chairman.

By Mr. Nunan :

MR. PRESIDENT: The San Francisco delegation, to whom was referred Senate Bill No. 326—Relative to extending the term of office of members of the Board of Education—have had the same under consideration, report it back, and a majority recommend that it do not pass.

Also, Assembly Bill No. 82—Relative to increasing the number of Supervisors—report it back, and a majority recommend passage.

Also, Assembly Bill No. 306—An Act to amend an Act entitled an Act to provide for the completion of the building, in the City and County of San Francisco, known as the new City Hall, approved March twenty-fourth, eighteen hundred and seventy-six—report it back, and recommend its passage.

Also, Senate Bill No. 448—An Act concerning the old United States Marine Hospital, and the old Marine Hospital building standing thereon—report it back, and recommend that it do not pass.

Also, Assembly Bill No. 471—An Act to facilitate and equalize the collection of licenses in the City and County of San Francisco—report it back, and recommend its passage as amended.

Also, Assembly Bill No. 437—Relative to establishing the grade of Vallejo Street—report it back, and recommend its passage.

Also, Assembly Bill No. 582—Relative to building a draw-bridge over Channel Street, at the intersection of Sixth Street—report it back, and recommend its passage.

Also, Assembly Bill No. 179—An Act to regulate street railroads in the State of California—report it back, and recommend that it be indefinitely postponed.

Also, Senate Bill No. 533—An Act for the relief of A. D. Splivalo, J. H. Coleman, and Juan de Toro—report it back, and recommend its passage.

Also, Senate Bill No. 529—An Act for the extension of Fourteenth Street, in the City and County of San Francisco—report it back, and recommend its passage.

Also, Senate Bill No. 537—An Act to ratify, confirm, and carry into effect a certain resolution of the Board of Supervisors—report it back, and recommend that the author have leave to withdraw the same.

Also, Senate Bill No. 540—Relative to the improvement of Alamo Square—report it back, and a majority recommend its passage.

Also, Senate Bill No. 555—Relative to the several charters of the City and County of San Francisco—report it back, and recommend its passage.

Also, Senate Bill No. 560—Relative to accepted streets—report it back, and recommend its passage.

E. NUNAN, Chairman.

CONSIDERATION OF THE ABOVE REPORT.

The following bills were taken up for consideration, under a suspension of the rules:

Assembly Bill No. 471.

Amended.

Read third time, and passed.

Assembly Bill No. 582.

Read third time, and passed.

Senate Bill No. 560.

Amended.

Considered engrossed, read third time, and passed.

Ordered to Assembly without engrossment.

Assembly Bill No. 306.

Read third time, and passed.

Assembly Bill No. 179.

Re-referred to the delegation.

Senate Bill No. 540.

Rules suspended, considered engrossed, read third time.

On its passage, the ayes and noes were demanded by the requisite number, and it passed by a vote, as follows:

AYES—Messrs. Beazell, Boring, Brown of Amador, Brown of El Dorado, Craig, Dean, Donovan, Evans, Fowler, Goodwin, Gwin, Hill, Howe, Lambert, Lewis, McCoppin, McGarvey, Montgomery, Pierson, Ream, Satterwhite, Searls, and Whitney—23.

NOES—Messrs. Bones, Murphy of San Luis Obispo, Rogers, and Smith—4.

Mr. Donovan gave notice of a motion to re-consider the vote by which the bill passed.

Mr. Evans, for the delegation, verbally reported, recommending its passage, Assembly Bill No. 658—An Act to encourage the destruction of squirrels and gophers in the County of San Joaquin.

Mr. Lewis, for the Committee on Education, verbally reported, with Assembly amendments to the bill, Senate Bill No. 114—An Act to amend section one thousand seven hundred and forty-six of the Political Code.

Rules suspended, and the bill was taken up for consideration.

Assembly amendments concurred in.

Mr. Satterwhite, for the delegation, verbally reported, recommending their passage, Assembly Bill No. 526—An Act to fund certain indebtedness of San Diego.

Also, Assembly Bill No. 397—An Act to authorize the Treasurer of the County of San Diego to pay certain warrants out of the contingent fund of said county.

Rules suspended, and each of the above bills taken up for consideration.

Severally read third time, and passed.

Mr. Hilborn, for the delegation, verbally reported, recommending its passage, Senate Bill No. 580—An Act to incorporate the Town of Dixon.

The bill was taken up for consideration.

Rules suspended, considered engrossed, read third time, and passed.

Ordered to the Assembly without engrossment.

Mr. McGarvey verbally reported, for the delegation, Assembly Bill No. 690—An Act for the sealing of logs in the County of Humboldt, with an amendment, recommending its passage as amended.

Mr. Montgomery, for the delegation, verbally reported, recommending its passage, Assembly Bill No. 655—An Act to authorize the construction and maintenance of a bridge across the Tuolumne River, at the Town of Modesto.

Rules suspended, and the bill was taken up for consideration.

Read third time, and passed.

Mr. McCoppin, for the Committee on Finance and Claims, verbally reported the memorial of certain El Dorado County bondholders, as transmitted by the Governor, on the eighteenth instant, requesting the same be printed.

So ordered.

By Mr. Flint:

SENATE CHAMBER,
SACRAMENTO, March 20th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 26—An Act to amend section two hundred and ninety-nine of the Civil Code.

Also, substitute for Senate Bill No. 438—An Act to create Hastings' College of the Law in the University of the State of California.

Also, Senate Bill No. 441—An Act to amend section three thousand four hundred and sixty-nine of the Civil Code of the State of California.

Also, Senate Bill No. 204—An Act to pay the claim of Mary A. Springer, widow and heir of Thomas A. Springer, late State Printer, deceased.

FLINT, for the Committee.

By Mr. Boyston:

SENATE CHAMBER,
SACRAMENTO, March 20th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 501—An Act to confer further powers upon the New City Hall Commissioners for the City and County of San Francisco.

Also, Senate Bill No. 263—An Act to provide for the appointment of a Reporter of the decisions of the Supreme Court.

And this day, at twelve o'clock M., presented the same to the Governor.

JOHN S. BOYSTON, for Committee.

By Mr. Smith:

MR. PRESIDENT: The Los Angeles delegation, to which has been referred Senate Bill No. 581—reports the same back with amendments on pages three and four, and recommends that it pass as amended.

GEORGE H. SMITH.

Rules suspended, and the bill taken up for consideration.

Amendments adopted.

Rules suspended, considered engrossed, read third time, and passed, and ordered to the Assembly without engrossment.

ASSEMBLY MESSAGE.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, March 19th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, concurred in the report of the committee of free conference on Assembly Bill No. 436—An Act to provide for a new Constitution for the State of California.

E. L. CRAWFORD, Assistant Clerk.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows:

By Mr. Bones: Senate Bill No. 614—An Act to establish a State Venereal Hospital.

Read first and second times, and, with a memorial accompanying the same, referred to the Committee on Hospitals.

By Mr. Dean: Senate Bill No. 615—An Act to provide for the improvement of Van Ness Avenue, in the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation without printing.

By Mr. Searls: Senate Bill No. 616—An Act to encourage irrigation in Sierra County.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Lewis: Senate Bill No. 617—An Act to amend section five hundred and thirty-nine of the Code of Civil Procedure.

Read first and second times, and ordered on the general file.

By Mr. P. W. Murphy: Senate Bill No. 618—An Act to incorporate the City of San Luis Obispo, approved March twentieth, eighteen hundred and seventy-six.

Read first and second times, and referred to the San Luis Obispo County delegation.

MOTIONS AND RESOLUTIONS.

By Mr. Gwin:

Resolved, That the Enrolling Clerk of the Senate be instructed to enroll Senate Bill No. 204 out of its order, and return the same to the Senate forthwith.

Adopted.

The rules were suspended, and the following orders made:

On motion of Mr. Fowler, Senate Bill No. 372 was taken from the general file, and re-referred to the Committee on Corporations.

On motion of Mr. Haymond, Senate Bill No. 527 was taken from the general file, and re-referred to the Committee on Corporations.

On motion of Mr. Hilborn, Senate Bill No. 554 was taken from the general file, and re-referred to the Judiciary Committee.

On motion of Mr. Pierson, Senate Bill No. 566 was taken up from the general file.

Rules suspended, considered engrossed, read third time, and passed, and ordered to the Assembly without engrossment.

On motion of Mr. Shirley, Assembly Bill No. 652 was taken up from the general file.

Amendments adopted.

Read third time, and passed.

SPECIAL ORDERS—WEDNESDAY, MARCH TWENTIETH.

Governor's message, with his reasons for withholding his approval of Senate Bill No. 252—An Act to provide for the payment of the Seventh Street Commission, in and for the City and County of San Francisco.

Upon the question, "Shall the bill become a law, notwithstanding the objections of the Governor?" the roll was called, and the Senate refused to so pass the bill by a vote, as follows:

AYES—Messrs. Beazell, Boyston, Brown of Amador, Brown of El Dorado, Craig, Crane, Donovan, Goodwin, Haymond, Hilborn, Lambert, McGarvey, Murphy of San Francisco, Murphy of San Luis Obispo, Nunan, Pierson, and Searls—17.

NOES—Messrs. Boring, Coleman, Curtis, Evans, Flint, Fowler, Hill, Howe, Lewis, Montgomery, Ream, Satterwhite, Smith, and Whitney—14.

Motion to re-consider the vote by which the Senate indefinitely postponed Senate Bill No. 23—An Act to create and establish a Board of Public Works for the City and County of San Francisco, and to abolish the offices of City and County Surveyor and Superintendent of Public Streets, and Highways, and Squares.

Upon the motion to re-consider the vote, the ayes and noes were demanded by Messrs. Haymond, Nunan, and Craig, and it was re-considered by the following vote:

AYES—Messrs. Beazell, Boring, Brown of El Dorado, Craig, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lewis, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Nunan, Pierson, Ream, Satterwhite, Shirley, and Whitney—26.

NOES—Messrs. Boyston, Coleman, Searls, and Smith—4.

On motion of Mr. Nunan, the bill was re-referred to the San Francisco delegation.

Mr. Lewis, by leave, withdrew his notice of a motion to reconsider the vote by which Assembly Bill No. 433 passed on yesterday.

ASSEMBLY MESSAGE.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, March 20th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twentieth day of March, A. D. eighteen hundred and seventy-eight, appointed in the mat-

ter of free conference on Assembly Bill No. 500—An Act to authorize the construction of a public wagon road in the County of San Bernardino, and to provide for the payment of the cost of the same—Messrs. Waters, Ellis, and Sargent.

Also, in the matter of Senate Bill No. 86—An Act to declare Clear Lake navigable—Messrs. Welch, Long, and Cooley.

ROBERT C. PAGE, Chief Clerk.

The President appointed, as the committee of conference on Assembly Bill No. 500, on the part of the Senate, Messrs. Satterwhite, Flint, and Murphy of Santa Clara. On Senate Bill No. 86, Messrs. Howe, Donovan, and Hill.

GENERAL FILE.

Senate Bill No. 443—An Act to amend section eight hundred and twenty-one of the Civil Code of the State of California.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 110—An Act authorizing the adjudication of certain claims against the State.

Mr. Lewis moved to amend the bill by striking out all the proviso to section two.

On which the ayes and noes were demanded by Messrs. Lewis, Smith, and Murphy of San Francisco, and the amendment was adopted by a vote, as follows:

AYES—Messrs. Coleman, Crane, Dean, Goodwin, Hill, Lewis, McCarthy, McCoppin, McGarvey, Murphy of Santa Clara, Ream, Satterwhite, Searls, Shirley, Smith, and Whitney—16.

NOES—Messrs. Bones, Boring, Brown of Amador, Brown of El Dorado, Curtis, Evans, Fowler, Haymond, Hilborn, Howe, Lambert, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, and Pierson—15.

On the engrossment of the bill, the ayes and noes were demanded by the requisite number, and the Senate refused to order the bill engrossed by a vote, as follows:

AYES—Messrs. Brown of Amador, Curtis, Evans, Flint, Haymond, Hilborn, Hill, Howe, Lambert, McCarthy, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, and Pierson—14.

NOES—Messrs. Bones, Boring, Brown of El Dorado, Coleman, Crane, Dean, Fowler, Goodwin, Lewis, McCoppin, McGarvey, Murphy of San Luis Obispo, Ream, Satterwhite, Searls, Shirley, Smith, and Whitney—18.

Senate Bill No. 553—An Act in relation to Indian war bonds of the State of California.

Amendment concurred in.

Rules suspended, considered engrossed, read third time, and passed. Ordered to the Assembly without engrossment.

Mr. Haymond submitted a report, as follows:

MR. PRESIDENT: The Committee on Irrigation, to whom Assembly Bill No. 612 was referred, report the same back with amendments, and recommend its passage as amended.

HAYMOND, for Committee.

By Mr. McCarthy:

SENATE CHAMBER,
SACRAMENTO, March 20th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 204—An Act to pay the claim of Mary M. Springer, widow and heir of Thomas A. Springer, late State Printer, deceased.

And this day, at two o'clock P. M., presented the same to the Governor.

MCCARTHY, Chairman.

By Mr. Smith :

MR. PRESIDENT : The Los Angeles delegation, to whom was referred Senate Bill No. 586—has had the same under consideration, and reports the same back with recommendation that it do pass.

GEORGE H. SMITH.

Also :

MR. PRESIDENT : The Committee on Mileage, to which has been referred Assembly Bill No. 555—has had the same under consideration, and reports the same back with recommendation that it pass.

GEORGE H. SMITH, for Committee.

The Committee on Corporations were granted leave of absence for the remainder of the day.

On motion of Mr. Craig, the special order set for one o'clock P. M., Senate Bill No. 472, was postponed until to-morrow, immediately after the reading of the Journal.

[Mr. Murphy of San Francisco in the chair.]

By Mr. Donovan :

REPORT OF SENATE COMMITTEE ON PUBLIC BUILDINGS, ETC.

MR. PRESIDENT : Senate Committee on Public Buildings and Grounds would report, as follows : They have had under consideration Senate Bill No. 117—An Act to appropriate one hundred and seventy-five thousand five hundred dollars for the construction of buildings for the California Institution for the Deaf, the Dumb, and the Blind.

Also, Senate Bill No. 190—An Act to appropriate money for the improvement of the State Normal School.

Also, Senate Bill No. 500—An Act to appropriate money for the erection of additional buildings for the State Insane Asylum at the City of Stockton—and would report the following substitute, and recommend its passage.

They have had also under consideration Senate Bill No. 259—An Act for furnishing and erecting bronze statues in the State Capitol—and would recommend that it do not pass.

DONOVAN, for Committee.

Rules suspended, and the substitute, above reported, taken up for consideration.

Amended.

Ordered printed out of order, and at the head of the general file for to-morrow.

Assembly Bill No. 737 was ordered returned to the Assembly, in compliance with a request from that body.

Mr. Smith (by leave) offered a resolution, as follows :

Resolved, That the Assembly be requested to return to the Senate Senate Joint Resolution No. 49.

Adopted.

ADJOURNMENT.

At three o'clock and forty-five minutes P. M., on motion of Mr. Lewis, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
THURSDAY, March 21st, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

The Journal of yesterday was read and approved.

SPECIAL ORDER—AFTER READING JOURNAL.

Senate Bill No. 472—An Act for the relief of James Munroe, S. L. Piper, his executors or assigns, Ede and Williams, and Brigham and Haws, and to provide for the payment of certain moneys equitably due them.

Rules suspended, considered engrossed, read third time.

Mr. Murphy of San Francisco moved to indefinitely postpone the bill.

On which the ayes and noes were demanded by Messrs. Craig, Haymond, and J. C. Murphy, and the motion prevailed by a vote, as follows:

AYES—Messrs. Beazell, Coleman, Craig, Dean, Donovan, Evans, Hilborn, McCoppin, Murphy of San Francisco, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Searls, Smith, and Whitney—17.

NOES—Messrs. Bones, Brown of Amador, Brown of El Dorado, Flint, Fowler, Goodwin, Haymond, Howe, and McGarvey—9.

Mr. Craig gave notice of a motion to reconsider the vote by which the bill was indefinitely postponed.

The President laid before the Senate the following communication, stating he had done so after consultation with Senator Bones, as follows:

MARCH 20th, 1878.

To Honorable James Johnson, Presiding Officer of the State Senate:

DEAR SIR: Senator Bones has been reporting, before numerous parties in the City of Oakland, that he has been offered money, on two different occasions, to vote for certain bills before the State Senate.

We respectfully request that you lay the matter before the Senate, in order that your honorable body may take cognizance of the attempted bribery, and demand that the names of the parties, so offering the bribe, be divulged, in order that the dignity and honor of your body may be preserved, and not be brought into disrepute by parties circulating such statements.

JOHN DOHERTY,
Chairman County Committee Workingman's Party of Alameda County.

Mr. Bones rose to a question of privilege, and denied the statements made in the communication, and sent up to be read certain newspaper extracts and a threatening letter directed to him.

Mr. Hilborn offered a resolution, as follows:

Resolved, That the Senate of the State of California have implicit confidence in the honesty and integrity of Hon. J. W. Bones, Senator for Alameda County, and that the attacks upon him, as presented in this Senate, bear upon their face evidences of ill-will, and are unworthy of the further consideration of the Senate.

The resolution was unanimously adopted.

On motion of Mr. Montgomery, the rules were suspended, and Assembly Bill No. 612 taken up for consideration from the general file.

Assembly Bill No. 612—An Act to create an irrigation district, to be called the Modesto Irrigation District.

Amendments adopted.

Read third time, and passed.

On motion of Mr. J. C. Murphy, the rules were suspended, and Senate Bill No. 489 taken from the general file for consideration.

Senate Bill No. 489—An Act to amend certain sections of the Political Code, and to enact and add certain sections thereto, relating to pilots and pilot regulations.

Amendments concurred in.

Rules suspended, considered engrossed, read third time, and passed.

Ordered to the Assembly without engrossment.

Mr. Beazell offered a resolution, as follows:

Resolved, That Senate Bill No. 508 be enrolled at once, and without engrossment.

Adopted.

REPORTS.

Reports were submitted, as follows:

By Mr. McGarvey:

MR. PRESIDENT: The Judiciary Committee, to whom was referred Assembly Bill No. 218—An Act to permit John J. Wesselhoft to redeem certain lands sold to the State for delinquent taxes for the fiscal year eighteen hundred and seventy-five and eighteen hundred and seventy-six—have had the same under consideration, and report it back, recommending its passage.

Also, Senate Bill No. 568—An Act to regulate the boxing, stamping, and sale of cigars made in the State of California—report the same back with a substitute adopted by the committee, and a majority recommend the passage of the substitute.

Also, Assembly Bill No. 288—An Act to amend sections five hundred and sixty-four, five hundred and sixty-six, and five hundred and sixty-seven of the Political Code, and to add a new section, to be numbered section five hundred and sixty-eight—report the same back, a majority recommend its passage.

Also, Senate Bill No. 450—An Act to enable railroad companies to complete their railroads—report the same back, and recommend its passage.

Also, Assembly Bill No. 232—An Act to amend an Act entitled an Act to authorize the husband or wife or next of kin of a deceased person to collect and receive of any savings bank any deposit in such bank, when the same does not exceed the sum of three hundred dollars, approved February eighteenth, eighteen hundred and seventy-four—report the same back, and recommend that it do not pass.

Also, Assembly Bill No. 453—An Act to amend an Act concerning the office of County Clerk of Santa Barbara County, approved March eleventh, eighteen hundred and seventy-six—report the same back, and recommend its passage.

Also, Senate Bill No. 290—An Act to amend section three hundred and twenty-five of the Code of Civil Procedure—report the same back with an amendment, and recommend its passage as amended.

Also, Senate Bill No. 521—An Act to add a new section to the Code of Civil Procedure—report the same back; a majority recommend its passage.

Also, Assembly Bill No. 136—An Act to amend sections seven hundred and fifty-two, seven hundred and fifty-three, seven hundred and fifty-four, and seven hundred and fifty-six of the Political Code—report the same back, with the recommendation that the Senate recede from the amendment.

Also, Senate Bill No. 106—An Act to amend section forty of the Civil Code—report the same back, and recommend that the Senate concur in the Assembly amendment.

Also, Senate Bill No. 597—An Act to amend an Act entitled an Act to regulate fees in office—report the same back; a majority recommend that it do not pass.

Also, Senate Bill No. 592—An Act to amend the Code of Civil Procedure—report the same back, and a majority recommend its passage.

Also, Senate Bill No. 593—An Act entitled an Act to amend section two hundred and seventy-six of the Code of Civil Procedure—report the same back; a majority recommend that it do not pass.

Also, Senate Bill No. 591—An Act in relation to pardons—report the same back, and recommend its passage.

Also, Senate Bill No. 559—An Act to add a new section to the Code of Civil Procedure, to be numbered section one thousand and forty, providing for counsel fees in certain cases—report the same back, and recommend its passage.

Also, Senate Bill No. 587—An Act to amend section one thousand six hundred and eighteen of the Code of Civil Procedure, in relation to the compensation of executors and administrators—report the same back, with an amendment, and recommend its passage as amended.

Also, Senate Bill No. 583—An Act to amend certain sections of the Code of Civil Procedure, in reference to attachments—report the same back, and recommend its passage.

Also, Senate Bill No. 582—An Act to repeal section two hundred and ninety-nine of the Civil Code, in relation to corporations—report the same back, and recommend that it do not pass.

Also, Assembly Bill No. 239—An Act to amend an Act entitled an Act to provide for the collection of delinquent taxes in the City and County of San Francisco, approved April third, eighteen hundred and seventy-six—report the same back, and recommend its reference to the San Francisco delegation.

Also, Assembly Bill No. 751—An Act to amend an Act entitled an Act to amend an Act to incorporate the City of Monterey, approved May eleventh, eighteen hundred and fifty-three, approved March fourth, eighteen hundred and fifty-seven—report the same back, and recommend that it be referred to the delegation.

Also, Senate Bill No. ——An Act to amend the Political and Penal Codes, concerning public buildings, and for other purposes, approved April third, eighteen hundred and seventy-six—the same was adopted by the committee, and they report it to the Senate and recommend its passage.

Also, an Act to amend an Act entitled an Act to establish a Political Code, approved March eleventh, eighteen hundred and seventy-six—the same was adopted by the committee, who report it to the Senate and recommend its passage.

McGARVEY, Chairman.

The bills requested to be referred, in the above report, were so referred.

The bills, above reported, were taken up under a suspension of the rules, as follows:

On motion of Mr. Rogers, Senate Bill No. 568 was ordered at the head of the general file for to-morrow.

Assembly Bill No. 136.

The Senate receded from its amendments to the bill.

Senate Bill No. 10.

Senate concurred in Assembly amendments to the bill.

By Mr. Lewis:

MR. PRESIDENT: The Committee on Education have had under consideration Assembly Bill No. 753—An Act to provide for the relief of schools in the flooded districts—and report the same back, and recommend its passage.

Also, Senate Bill No. 458, and Assembly Bill No. 259—Relating to text-books—and report the same back to the Senate, without recommendation.

Also, Senate Bill No. 125—An Act for the better government of the public schools of the City and County of San Francisco—and recommend that it do not pass.

LEWIS, Chairman.

By Mr. McCoppin:

MR. PRESIDENT: The Committee on Finance and Claims, to whom was referred Assembly Bill No. 632—An Act granting to John C. Biggs a reward for the capture of Ah Sam, alias Tse Ah You, a noted murderer—have had the same under consideration, report it back, and recommend its passage.

Also, Assembly Bill No. 554—An Act for the relief of Frederick Kuhule—report the same back, and recommend its passage.

Also, Assembly Bill No. 278—An Act for the relief of Richard Dudding and William Johnson—report the same back, and recommend its passage.

Also, Assembly Bill No. 565—An Act to pay the claim of P. K. Stockton, due for services as short-hand reporting on the State Land Commission—report the same back, and recommend its passage.

Also, Assembly Bill No. 595—An Act to amend section four thousand two hundred and seventeen of the Political Code, in relation to the duties of County Auditor—report the same back, and recommend its passage.

Also, Assembly Bill No. 385—An Act to amend section three thousand six hundred and seventy-four of the Political Code—report the same back, with a recommendation that it do not pass.

Also, Senate Bill No. 557—An Act to appropriate money for the relief of General John A. Sutter—report the same back without recommendation.

Also, Assembly Bill No. 603—An Act for the relief of Edward Chisty—report the same back, and recommend its passage.

Also, Assembly Bill No. 713—An Act to repeal an Act entitled an Act to extend the time for selling property, for delinquent taxes, in the County of Alpine—recommend that it be referred to the delegation.

McCOPPIN, Chairman.

The bill, above reported, asking for reference, was so referred.

By Mr. Searls:

MR. PRESIDENT: The Committee on Corporations have had under consideration Assembly Bill No. 389—An Act to incorporate the Town of Berkeley, in Alameda County—report the same back with amendments, and a majority of committee recommend the passage of the bill as amended.

Also, Assembly Bill No. 88—An Act to amend section three hundred and seven of the Civil Code—and report the same back, with the recommendation that it do not pass.

Also, Assembly Bill No. 561—An Act to regulate certain corporations in this State, by compelling the publication of statements of unclaimed accounts and dividends—and report the same back, with the recommendation that it do not pass.

NILES SEARLS, Chairman.

By Mr. Ream:

MR. PRESIDENT: The Committee on Hospitals, to whom was referred Senate Bill No. 253—An Act to make an appropriation for the California Women's Hospital—have had the same under consideration, report it back, and recommend that it do not pass.

D. REAM, Chairman.

By Mr. Dean:

MR. PRESIDENT: The Committee on Elections, to whom were referred sundry bills, report back Assembly Bill No. 274—and recommend its passage as amended.

DEAN, for Committee.

Rules suspended, and the bill above reported, taken up, amended, read third time, and passed.

Title amended.

SPECIAL ORDER—THURSDAY, AT ONE P. M.

Senate Bill No. 518—An Act to amend the Political Code of the State of California, by adding a new section thereto.

On motion of Mr. Lambert, the special order was postponed until Saturday, at the same hour.

By Mr. Howe:

MR. PRESIDENT: The Committee on Commerce and Navigation report Senate Bill No. 317—and recommend the Senate concur in the Assembly amendment.

ROBT. HOWE, Chairman.

The bill, above reported, was taken up, and the Senate concurred in the Assembly amendments to the bill.

By Mr. Hill:

MR. PRESIDENT: The Committee on Agriculture, to whom was referred Senate Bill No. 556—An Act to provide for the extermination of squirrels in the State of California—have had the

same under consideration, and herewith report the bill back, and respectfully recommend that, inasmuch as a number of the counties have already special squirrel laws, the bill be referred to its author, with the suggestion that the bill be made applicable only to the County of Contra Costa.

HILL, Chairman.

The bill, above reported, was referred to the Contra Costa delegation.

Also:

MR. PRESIDENT: The delegation from Lake County, to whom was referred Assembly Bill No. 111—An Act to prevent and restrict sheep and goats from being herded and running at large in certain portions of Lake County—have had the same under consideration, and herewith report the bill back to the Senate with amendments, recommend adoption of amendments, and passage of the bill as amended.

HILL, for Delegation.

Rules suspended, and the bill taken up.

Amendments adopted.

Read third time, and passed.

Also:

MR. PRESIDENT: The Napa County delegation, to whom was referred Assembly Bill No. 667—An Act to amend an Act entitled an Act to encourage the destruction of squirrels, gophers, and other wild animals in the Counties of Los Angeles, Napa, Merced, and San Bernardino, approved February thirteenth, eighteen hundred and seventy-two as to Napa County—have had the same under consideration, and herewith report the bill back to the Senate, and recommend passage.

Also, Assembly Bill No. 665—An Act to amend an Act entitled an Act to regulate the salaries and fix the compensation of certain officers in the County of Napa, approved March sixteenth, eighteen hundred and seventy-four—and herewith report same back, and recommend the bill pass.

Also, Assembly Bill No. 668—An Act to authorize the Board of Supervisors of Napa County to transfer certain funds—and herewith report the bill back to the Senate, and recommend passage.

Also, Assembly Bill No. 663—An Act to authorize the Board of Supervisors of Napa County to transfer certain funds—and herewith report the same back, and recommend passage.

HILL, for Delegation.

Rules suspended, and the bills, above reported, taken up for consideration:

Assembly Bill No. 667.

Read third time, and passed.

Assembly Bill No. 665.

Read third time, and passed.

Assembly Bill No. 663.

Read third time, and passed.

Assembly Bill No. 668.

Read third time, and passed.

By Mr. Nunan:

MR. PRESIDENT: The San Francisco delegation, to whom was referred Senate Bill No. 520—An Act to authorize and continue the widening of Dupont Street, in the City and County of San Francisco—have had the same under consideration, report it back, and recommend its passage as amended.

Also, Senate Bill No. 603—An Act to authorize the City and County of San Francisco to allow and pay the claim of John O'Connor—report it back, and recommend its passage.

E. NUNAN, Chairman.

By Mr. Whitney:

MR. PRESIDENT: The Sonoma delegation, to whom was referred Senate Bill No. 563—An Act to authorize the construction and maintenance of a drawbridge across Pointina Creek, in the City of Petaluma, herewith report the same back, and recommend its passage.

WHITNEY, for Committee.

Rules suspended, and the bill, above reported, taken up.
Considered engrossed, read third time, and passed.

By Mr. McCarthy:

SENATE CHAMBER,
SACRAMENTO, March 21st, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 97—An Act to create a new Court in the City and County of San Francisco, to be designated as the Municipal Court of Appeals of the City and County of San Francisco.

And this day, at eleven o'clock and forty-five minutes A. M., presented same to the Governor.

MCCARTHY, Chairman.

By Mr. Ream:

MR. PRESIDENT: The delegation, to whom was referred substitute for Assembly Bill No. 566—An Act to amend an Act entitled an Act to prevent the propagation of the Scotch or Canada thistle in the Counties of Humboldt, Siskiyou, Del Norte, Sutter, and Alameda, approved March second, eighteen hundred and seventy-two—have had the same under consideration, report it back, and recommend that it do not pass.

D. REAM, for Delegation.

Mr. Lambert, for the Committee on Federal Relations, verbally reported, recommending passage, Assembly Joint Resolution No. 67—Relative to a weekly mail route from the county seat of Fresno County via Liberty, to Waltham Cañon, Fresno County.

Also, Assembly Joint Resolution No. 65—Relating to constructing a breakwater or sea-wall in the Harbor of Santa Barbara.

Mr. Curtis, for the delegation, verbally reported, recommending passage, Assembly Bill No. 408—An Act to amend an Act entitled an Act to incorporate the City of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three.

Rules suspended, read third time, and passed.

Also, Assembly Bill No. 657—An Act to amend an Act to provide for the grading of public alleys, and the construction of sewers therein, in the City of Sacramento.

Rules suspended, read third time, and passed.

Also, Assembly Bill No. 521—An Act to confer upon the City of Sacramento the power to construct such canals and levees as may be necessary to its drainage, and to its permanent protection from overflow.

Rules suspended, read third time, and passed.

Mr. Murphy of San Luis Obispo verbally reported, recommending passage, Assembly Bill No. 585—An Act supplementary to an Act fixing the salaries and compensation of certain officers of San Luis Obispo County, approved March thirty-first, eighteen hundred and seventy-six.

Rules suspended, read third time, and passed.

Also, Assembly Bill No. 495—An Act to amend sections thirteen and nineteen of an Act entitled an Act to re-incorporate and extend the limits of the Town of San Buenaventura, in the County of Ventura, State of California, and also to change the name of Cañada Street, in said town, to Ventura Avenue, approved March twenty-ninth, eighteen hundred and seventy-six.

Rules suspended, read third time, and passed.

Also, Senate Bill No. 618—An Act entitled an Act to incorporate the City of San Luis Obispo, approved March twentieth, eighteen hundred and seventy-six.

Rules suspended, considered engrossed, read third time, and passed.

Mr. McGarvey, for the delegation, verbally reported, recommending passage, Assembly Bill No. 748—An Act to authorize the Board

of Supervisors of Mendocino County to issue bonds for road and bridge purposes.

Rules suspended, read third time, and passed.

Mr. Hilborn, for the delegation, verbally reported, recommending passage, Assembly Bill No. 459—An Act to amend an Act entitled an Act to regulate salaries in the County of Solano, approved March thirtieth, eighteen hundred and seventy-four.

Rules suspended, read third time, and passed.

Mr. Shirley, for the delegation, verbally reported, recommending passage, Assembly Bill No. 651—An Act to provide for the election of a Road Overseer in Marin County.

Rules suspended, read third time, and passed.

Mr. Brown of El Dorado verbally reported, recommending passage, Senate Bill No. 601—An Act to prevent the trespassing of animals upon private property in the City of Placerville, El Dorado County, California.

Rules suspended, considered engrossed, read third time, and passed. Ordered to Assembly without engrossment.

Mr. Pierson, for the Committee on Public Lands, verbally reported, recommending passage, Assembly Bill No. 412—An Act to cure defects in the application of John D. Justice to purchase lands from the State of California.

Rules suspended, read third time, and passed.

Mr. Hilborn, for delegation, verbally reported, without recommendation, Senate Bill No. 531—An Act to amend an Act entitled an Act in relation to roads and highways in the County of Solano, approved March sixteenth, eighteen hundred and seventy-six.

GOVERNOR'S MESSAGE.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
SACRAMENTO, March 20th, 1878. }

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bills No. 44—An Act to fix the bonds of the county officers of Ventura County.

No. 60—An Act to provide for the payment of certain coupons upon bonds issued by the C. P. R. R. Company, and known as State Aid Bonds.

No. 138—An Act to amend section three thousand and sixty-one of the Political Code, relative to local Boards of Health.

No. 144—An Act for the relief of Wells, Fargo & Co.

No. 239—An Act to consolidate certain funds, and to create therefrom a permanent endowment for the University of California, of which the interest only shall be used by the Board of Regents to meet current expenses.

No. 269—An Act to ratify and confirm Order Number One Thousand Four Hundred and Four of the Board of Supervisors of the City and County of San Francisco.

No. 273—An Act to legalize the assessment of taxes in the City and County of San Francisco, and to ratify and confirm a resolution of the Board of Supervisors of the City and County of San Francisco.

No. 434—An Act for the relief of Klamath School District, Siskiyou County, California.

WILLIAM IRWIN, Governor.

ASSEMBLY MESSAGES.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER. }
SACRAMENTO, March 20th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the eighteenth day of March, A. D. eighteen hundred and seventy-eight, passed Assembly Bill

No. 600—An Act to protect stockholders in this State, by stopping their officers from depositing the corporation funds in bank to their individual credit.

And, on this day, passed, and ordered transmitted without engrossment, Assembly Bill No. 785—An Act to declare Smith River, in Del Norte County, navigable.

Also, Assembly Bill No. 787—An Act to regulate and protect bee keeping in the County of San Bernardino.

Also, Assembly Bill No. 789—An Act granting the Board of Supervisors of Colusa County additional powers.

Also, Assembly Bill No. 792—An Act making appropriations for the payment of claims accruing from the repairs of and furnishing the State Capitol, and for the improvement of the State Capitol grounds.

Also, Assembly Bill No. 793—An Act to set off the southwestern portion of Sutter Island, in Sacramento County, from Onischo School District, in Solano County, for school purposes.

Also, on this day, concurred in Senate amendments to Assembly Bills Nos. 343, 384, and 631.

Also, adopted the following resolution:

Resolved by the Assembly, That the Senate be requested to return Assembly Bill No. 737 to this House for correction.

Also, amended and passed Senate Bill No. 455—An Act creating the Twenty-third Judicial District, and defining the Third and Twelfth Districts.

And indefinitely postponed Senate Bill No. 73—An Act to amend certain sections of the Political Code, and to repeal other sections of same Code, relating to public schools.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 21st, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twentieth day of March, A. D. eighteen hundred and seventy-eight, passed substitute for Assembly Bill No. 22—An Act to provide for the completion of the Branch State Prison at Folsom.

Also, Assembly Bill No. 493—An Act to authorize and empower the Board of Supervisors of the County of San Mateo to take and subscribe to the capital stock of a railroad in said county, to be constructed from the City and County of San Francisco to the City of Santa Cruz, and to provide payment of the same, and other matters relating thereto.

Also, passed and ordered transmitted without engrossment, Assembly Bill No. 730—An Act in relation to the fees to be received by the Recorder of San Luis Obispo County.

Assembly Bill No. 731—An Act supplemental to an Act fixing the salaries and compensation of certain officers of San Luis Obispo County, approved March thirty-first, eighteen hundred and seventy-six.

Assembly Bill No. 752—An Act to prevent the trespassing of animals upon private property in the County of Fresno.

Assembly Bill No. 756—An Act in relation to juries in Justices' Courts and witnesses in Courts of Record in the County of Santa Cruz.

Assembly Bill No. 696—An Act to establish Reclamation District Number Two Hundred and Fifty-two of this State, in Sacramento County.

Assembly Bill No. 695—An Act ratifying and legalizing Reclamation District Number Fifty-four of this State, in Sacramento County, and the by-laws and proceedings thereof.

Also, passed the following Senate Bills:

Senate Bill No. 345—An Act to repeal an Act entitled an Act to protect agriculture in the County of El Dorado, approved March twentieth, eighteen hundred and seventy-six.

Senate Bill No. 564—An Act to authorize the Board of Trustees of Scott's Valley School District, in the County of Siskiyou, to borrow money for the purpose of erecting a school house, furnishing the same, and improving the grounds upon which the same is located.

Senate Bill No. 452—An Act to ratify and confirm certain proceedings of the Board of Supervisors of the County of Tehama, in and about the construction of a bridge across the Sacramento River.

Senate Bill No. 516—An Act to amend an Act entitled an Act concerning county officers in Yolo County, and to regulate fees and salaries thereof, approved March eighteenth, eighteen hundred and seventy-four.

Senate Bill No. 365—An Act to provide for the payment of certain outstanding bonds of the County of Alameda.

Also, amended and passed Senate Bill No. 488—An Act to amend an Act entitled an Act concerning roads and highways in Contra Costa, approved March eleventh, eighteen hundred and seventy-six.

Also, passed Senate Bill No. 517—An Act to provide for the opening of new streets, and for the extending and widening of existing streets, in the City of San José.

Senate Bill No. 536—An Act to provide for the refunding of the funded debt of Siskiyou County, California.

Senate Bill No. 573—An Act to regulate highways in Los Angeles County.

Senate Bill No. 575—An Act to regulate the fees, and Constables in the County of Calaveras.

Senate Bill No. 352—An Act amendatory of and supplementary to an Act entitled an Act to authorize the County Judge of Tehama County to distribute town lots, held by him in trust for the citizens of the Town of Red Bluff, and to issue certificates of title to the inhabitants of said town, in accordance with their respective interests, approved March sixth, eighteen hundred and sixty-eight.

Senate Bill No. 70—An Act to authorize the settlement of certain taxes due on certain portions of the Lick estate, and to cancel the liens against the same.

Senate Bill No. 509—An Act to amend an Act entitled an Act to authorize the City of Oakland to construct a main sewer.

Senate Bill No. 376—An Act for the relief of J. F. Dillin, Assessor of Inyo County.

Senate Bill No. 219—An Act to provide a new great register for the County of Yolo, and re-register the voters thereof.

Senate Bill No. 14—An Act to regulate the salaries and fix the compensation of certain county officers in the County of Nevada.

Senate Bill No. 508—An Act to enable the City of Oakland to acquire and maintain public water-works.

Senate Bill No. 480—An Act to regulate the traveling fees of the Sheriffs of the Counties of Kern and Tulare, and to repeal certain Acts therein mentioned.

Senate Bill No. 454—An Act to establish a Board of Health for the County of Tulare.

Senate Bill No. 457—An Act to amend an Act to establish a Board of Commissioners for the former Pueblo or City of Sonoma, and other matters relating thereto, to define the powers and duties of said Commissioners, approved March thirtieth, eighteen hundred and sixty-eight.

Senate Bill No. 567—An Act to amend an Act entitled an Act to re-incorporate the City of Marysville, approved March seventh, eighteen hundred and seventy-six.

Senate Bill No. 535—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board to pay certain deficiencies in the General Fund of said city and county.

Senate Bill No. 590—An Act to authorize the Board of Supervisors of Amador County to pay a special tax, for bridge purposes, in Township Number One.

Senate Bill No. 581—An Act to revise an Act entitled an Act to revise an Act entitled an Act to amend the charter of the City of Los Angeles, to define its limits and rights, to enlarge its powers, and provide for its more efficient government, approved April first, eighteen hundred and seventy-six.

Senate Bill No. 97—An Act to create a new Court in the City and County of San Francisco, to be designated as the Municipal Court of Appeals of the City and County of San Francisco.

Also, passed the following Senate Resolutions:

Senate Joint Resolution No. 48—Relative to an increase of the mail service from Redding, in Shasta County, to Alturas, in Modoc County.

Senate Joint Resolution No. 47—Relative to the establishment of a mail route from Visalia to Fairview, in Tulare County.

Senate Joint Resolution No. 46—Relative to the establishment of a daily mail service from Kingsbury, in Fresno County, to Grangerville, in Tulare County.

Senate Concurrent Resolution No. 45—Relative to Yosemite Valley.

Also, amended and passed the following Senate Bills:

Senate Bill No. 478—An Act to provide funds for the school department of the Town of Alameda.

Senate Bill No. 369—An Act for the protection of the public roads on Sherman Island.

Senate Bill No. 405—An Act to amend an Act entitled an Act to incorporate the Town of Alameda, approved February twenty-first, eighteen hundred and seventy-eight.

Senate Bill No. 507—An Act to amend an Act entitled an Act to re-incorporate the City of Vallejo, approved February twenty-first, eighteen hundred and sixty-eight.

Senate Bill No. 559—An Act to provide for the care and maintenance of the indigent sick of Tuolumne County.

Senate Bill No. 543—An Act to provide for the appointment of an official Reporter for the Second Judicial District, and for the County Court of the County of Tehama, and to provide for his compensation.

Senate Bill No. 384—An Act for the relief of John Q. Hendricks, Charles Carroll, and R. D. Hubbard.

Senate Bill No. 366—An Act to change the corporate name of the Mission Street Methodist Episcopal Church in the City and County of San Francisco.

Senate Bill No. 200—An Act to enable the Board of Supervisors of the City and County of San Francisco to increase the police force of said city and county, and provide for the appointment, regulation, and payment thereof.

Senate Bill No. 203—An Act to provide for the extension of Tehama Street, in the City and County of San Francisco.

And indefinitely postponed Senate Bill No. 351—An Act to authorize the City of Oakland to pay the sum of fifteen thousand dollars for the bridge heretofore constructed across the Estuary of San Antonio, between Eighth Street and East Ninth Street.

E. L. CRAWFORD, Assistant Clerk.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twentieth day of March, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 764—An Act making appropriations for the support of the Government of the State of California for the thirtieth and thirty-first fiscal years.

Assembly Bill No. 763—An Act in relation to the roads and streets within the City of San Luis Obispo.

Assembly Bill No. 802—An Act to provide for the election of Supervisors in the County of Mendocino.

Assembly Bill No. 321—An Act concerning certain property within the City and County of San Francisco.

Assembly Bill No. 780—An Act to repeal an Act entitled an Act to create an irrigation district, to be called the West Side Irrigation District, approved April third, eighteen hundred and seventy-six, and an Act entitled an Act supplemental to an Act entitled an Act to create an irrigation district, to be called the West Side Irrigation District, approved April third, eighteen hundred and seventy-six, so far as their provisions relate to the Counties of Contra Costa and Alameda.

And, on this day, passed Senate Bill No. 180—An Act for the relief of John Hoagland and others.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bills Nos. 789, 730, 731, 756, 763, 321, and 802, above reported.

Each read first and second times, and referred to the delegations named in the bills.

Assembly Bills Nos. 600 and 493.

Each read first and second times, and referred to the Committee on Corporations.

Assembly Bill No. 785, above reported.

Read first and second times, and referred to the Committee on Commerce and Navigation.

Assembly Bill No. 787, above reported.

Read first and second times, and ordered on the general file.

Assembly Bills Nos. 792 and 764, above reported.

Each read first and second times, and referred to the Committee on Finance and Claims.

Substitute for Assembly Bill No. 22, above reported.

Read first and second times, and referred to the Committee on State Prison.

Assembly Bill No. 752, above reported.

Read first and second times, and referred to the Judiciary Committee.

Assembly Bill No. 780, above reported.

Read first and second times, and referred to the Committee on Immigration.

Assembly Bills Nos. 793, 696, and 695, above reported.

Each read first and second times.

Rules suspended, and, by unanimous consent, the bills each taken up separately, and read third time, and passed.

Senate Bills Nos. 488, 478, 405, 559, 543, and 366, above reported.

Each, with Assembly amendments, were severally referred to the delegations named in the bills.

Senate Bills Nos. 455, 369, 384, and 203, above reported, were taken up, and the Assembly amendments to each bill were concurred in.

Senate Bill No. 507, above reported.

Assembly amendments concurred in.

Rules suspended, and the bill ordered engrossed, and enrolled out of order.

Substitute for Senate Bill No. 200, above reported.

The Senate refused to concur in the Assembly amendments to the bill, and, on motion of Mr. McCoppin, a committee of free conference was ordered, on the disagreeing vote.

The President appointed Messrs. McCoppin, Boyston, and McCarthy the committee, on the part of the Senate.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows :

By Mr. Evans: Senate Bill No. 619—An Act to amend sections one thousand nine hundred and thirteen, one thousand nine hundred and sixty-two, and one thousand nine hundred and sixty-nine of the Political Code, and to add a new section thereto, and to amend section thirty-eight of an Act entitled an Act to amend the Political Code of the State of California, and other Acts concerning the National Guard, approved March twelfth, eighteen hundred and seventy-eight.

By the Judiciary Committee: Senate Bill No. 620—An Act to amend the Political and Penal Codes, concerning public printing, and for other purposes, approved April third, eighteen hundred and seventy-six.

Also, Senate Bill No. 621—An Act to amend an Act entitled an Act to establish a Political Code, approved March eleventh, eighteen hundred and seventy-six.

Each of the above bills read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, severally read third time, and passed, and each ordered to the Assembly without engrossment.

By Mr. Gwin: Senate Bill No. 622—An Act to create a new township in Calaveras County.

By Mr. Curtis: Senate Bill No. 623—An Act to amend an Act entitled an Act to confer further powers on the Board of Trustees of the City of Sacramento.

Each of the above bills read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, severally read third time, and passed, and ordered transmitted to the Assembly without engrossment.

By Mr. Murphy of San Luis Obispo: Senate Bill No. 624—An Act to provide a fund for the repairing of roads in San Luis Obispo County.

Also, Senate Bill No. 625—An Act concerning roads and highways in San Luis Obispo County.

Each of the above bills read first and second times, and ordered on the general file.

By Mr. Nunan, for the San Francisco delegation: Senate Bill No. 626—An Act to authorize the Board of Supervisors of the City and County of San Francisco to make provisions for any deficiency in the Street Superintendent Fund of the fiscal year eighteen hundred and seventy-seven and eighteen hundred and seventy-eight.

Also, Senate Bill No. 627—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco.

By Mr. Lambert: Senate Bill No. 628—An Act to authorize the Board of Supervisors of Yolo County to levy taxes for county purposes.

Each of the above bills read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, severally read third time, and passed, and ordered transmitted to Assembly without engrossment.

By Mr. Murphy of Santa Clara: Senate Bill No. 629—An Act to amend sections seven hundred and fifty-six, seven hundred and fifty-seven, seven hundred and fifty-nine, seven hundred and sixty, and seven hundred and ninety-eight of the Code of Civil Procedure.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Nunan: Senate Joint Resolution No. 51—Relative to United States revenue laws.

Read first and second times, and referred to the Committee on Federal Relations.

By Mr. Brown of Amador: Senate Bill No. 630—An Act to provide for the location, construction, and maintenance of public roads in the County of Amador.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

Ordered transmitted to the Assembly without engrossment.

Mr. Ream submitted a report, as follows:

SENATE CHAMBER.

SACRAMENTO, March 21st, 1878.

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 368—An Act to quiet title to land in the County of Yolo.

Senate Bill No. 363—An Act for the relief of purchasers of State lands.

Also, Senate Bill No. 519—An Act entitled an Act to authorize the County Treasurer of El Dorado County to transfer certain funds, approved March sixteenth, eighteen hundred and seventy-six.

Also, Senate Bill No. 504—An Act entitled an Act for the protection of game in Nevada County.

Also, Senate Bill No. 513—An Act to refund to Tehama County the State's portion of taxes unlawfully collected.

Also, Senate Bill No. 544—An Act to provide for the construction of a railroad from Lone, in the County of Amador, to a point in or near the Towns of Sutter Creek or Jackson, in said county, and to regulate fares and freights thereon.

Also, Senate Bill No. 561—An Act to amend an Act, approved April first, eighteen hundred and seventy-six, entitled an Act to extend the Acts of April twenty-first, eighteen hundred and fifty-six, approved April first, eighteen hundred and sixty-four.

Also, Senate Bill No. 578—An Act to authorize the Board of Supervisors of San Bernardino County to purchase the franchise of a toll road company.

Also, Senate Bill No. 486—An Act to amend an Act entitled an Act to amend an Act entitled an Act to provide for official valuation of life insurance policies, approved April fourth, eighteen hundred and seventy, approved February thirteenth, eighteen hundred and seventy-two.

Also, Senate Bill No. 598—An Act to close an unused street in San Francisco.

Also, Senate Bill No. 364—An Act to provide compensation for the Township of Oakland, County of Alameda.

Also, Senate Bill No. 579—An Act to regulate roads and highways in Lassen County.

Also, Senate Bill No. 565—An Act for the relief of bondsmen herein named.

Also, Senate Bill No. 511—An Act to provide for transcribing the Great Register of El Dorado County.

D. REAM, for Committee.

PETITIONS.

Mr. Smith presented a petition from citizens of Los Angeles, asking an appropriation, for the Los Angeles Free Dispensary, of one thousand dollars.

Received, and referred to the Committee on Hospitals.

RECESS.

At two o'clock P. M., on motion of Mr. Evans, the Senate took a recess of half an hour.

RE-ASSEMBLED.

At two o'clock and thirty minutes P. M., the Senate re-assembled.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Boring, Boyston, Coleman, Curtis, Donovan, Evans, Flint, Fowler, Hill, Lambert, McCarthy, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Searls, Smith, and Whitney.

Quorum present.

The rules were suspended to take up, out of their order on the general file, the following bills:

Senate Bill No. 515—An Act to amend sections three thousand four hundred and fifty-two, three thousand four hundred and fifty-three, three thousand four hundred and fifty-four, three thousand four hundred and fifty-five, three thousand four hundred and fifty-six, three thousand four hundred and fifty-nine, three thousand four hundred and sixty-one, three thousand four hundred and sixty-two, three thousand four hundred and sixty-six, three thousand four hundred and seventy-one, and three thousand four hundred and eighty-one of the Political Code.

Amendments adopted.

On motion of Mr. Evans, the bill was ordered printed, and made a special order for Saturday next, after the reading of the Journal.

Assembly Bill No. 676—An Act fixing the amount of the official bonds of Colusa County.

Read third time, and passed.

Assembly Bill No. 677—An Act to confer certain powers on the Board of Supervisors of Colusa County, and fixing the time for the meetings.

Read third time, and passed.

The Committee on Corporations were granted leave of absence for the remainder of the day.

Assembly Bill No. 565—An Act to pay the claim of P. K. Stockton, due for services as Short-hand Reporter, reporting on the State Land Commission.

Read third time, and passed.

Mr. Smith submitted the following report:

MR. PRESIDENT: The Los Angeles delegation reports back Assembly Bill No. 648, with two amendments (viz., to sections five and twenty-one), and recommends that it do pass as amended. Also, Assembly Bill No. 319, with recommendation that it pass.

Rules suspended, and the bills, above reported, taken up.

Assembly Bill No. 648.

Read third time, and passed.

Assembly Bill No. 319.

Read third time, and passed.

By Mr. McCarthy (for Mr. Searls):

MR. PRESIDENT: The Committee on Corporations have had under consideration Senate Bill No. 527—An Act to amend a certain section of the Civil Code, relating to corporations—and report the same back, and recommend that it do pass.

NILES SEARLS, Chairman.

GENERAL FILE.

Senate Bills Nos. 206, 304, 246, 453, 572, 152, 448, 546, and 259, and Assembly Bills Nos. 159, 189, 271, 311, 349, 350, 452, 423, and 233, were laid on the table.

Assembly Bill No. 639.

Passed on file.

Substitute for Senate Bills No. 117, 190, and 500—An Act making appropriations for public institutions.

Amendments were offered to the bill.

On motion of Mr. Ream, the bill was made a special order for to-morrow, immediately after reading the Journal.

Senate Bill No. 430—An Act to create a Bureau of Labor and Statistics of Labor, in the State of California.

Read third time.

On the passage of the bill, the ayes and noes were demanded by the requisite number, and it passed by a vote, as follows:

AYES—Messrs. Beazell, Bones, Boring, Coleman, Curtis, Dean, Donovan, Goodwin, Haymond, Hill, Lambert, Lewis, Murphy of San Francisco, Murphy of Santa Clara, Nunan, Pierson, Rogers, Smith, and Whitney—19.

NOES—Messrs. Boyston, Brown of Amador, Flint, Fowler, McGarvey, Montgomery, Ream, and Satterwhite—8.

Substitute for Senate Bill No. 316—An Act for the relief of the California Furniture Manufacturing Company of San Francisco.

At four o'clock and forty-five minutes P. M., Mr. B. D. Murphy moved to adjourn until seven o'clock and thirty minutes, this evening, on which the ayes and noes were demanded by the requisite number, and the Senate refused by a vote, as follows:

AYES—Messrs. Bones, Boring, Coleman, Donovan, Haymond, Hill, Howe, McGarvey, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Pierson, Ream, Rogers, and Whitney—15.

NOES—Messrs. Beazell, Boyston, Brown of Amador, Brown of El Dorado, Curtis, Dean, Evans, Flint, Fowler, Goodwin, Gwin, Lambert, Lewis, Nunan, Satterwhite, Searls, Shirley, and Smith—18.

ADJOURNMENT.

At four o'clock and fifty minutes P. M., on motion of Mr. Fowler, the Senate adjourned until ten o'clock A. M. to-morrow.

IN SENATE.

SENATE CHAMBER,
FRIDAY, March 22d, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Goodwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

Mr. Donovan asked to have the Journal of yesterday show that he voted aye on the motion to indefinitely postpone Senate Bill No. 472, and not in the negative.

So ordered.

When the Journal of yesterday was approved, without further reading, on motion of Mr. J. C. Murphy.

SPECIAL ORDER—AFTER READING JOURNAL.

Substitute for Senate Bills Nos. 117, 190, and 500—An Act making appropriations for public institutions.

An amendment, offered on yesterday, as follows: Amend by striking out subdivision four, of section one, was rejected.

The substitute for the bills was adopted.

Mr. Smith moved to strike out subdivision four of the bill.

On which the ayes and noes were demanded by the requisite number, and the motion was lost by a vote, as follows:

AYES—Messrs. Curtis, McCoppin, Murphy of San Luis Obispo, Ream, Satterwhite, Searls, Smith, and Whitney—8.

NOES—Messrs. Beazell, Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Haymond, Hilborn, Hill, Lambert, Lewis, McGarvey, Murphy of San Francisco, Murphy of Santa Clara, Nunan, Pierson, Rogers, and Shirley—26.

Mr. Smith moved to strike out "forty-five thousand dollars," in subdivision four, to Napa Asylum for the Insane, and insert "twenty-six thousand dollars."

On which the ayes and noes were demanded by Messrs. Smith, Pierson, and J. C. Murphy, and the amendment was rejected by a vote, as follows:

AYES—Messrs. Curtis, McCoppin, Murphy of San Luis Obispo, Ream, Rogers, Satterwhite, Searls, Smith, and Whitney—9.

NOES—Messrs. Beazell, Bones, Boring, Brown of Amador, Coleman, Craig, Crane, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Haymond, Hilborn, Hill, Howe, Lewis, McGarvey, Murphy of San Francisco, Murphy of Santa Clara, Nunan, Pierson, Rogers, Searls, and Shirley—24.

Rules suspended, considered engrossed, read third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Smith, Craig, and McCoppin, and it passed by a vote, as follows:

AYES—Messrs. Beazell, Bones, Boring, Brown of Amador, Coleman, Craig, Crane, Dean, Donovan, Evans, Fowler, Goodwin, Haymond, Hilborn, Hill, Howe, Lewis, McGarvey, Murphy of San Francisco, Murphy of Santa Clara, Nunan, Pierson, Rogers, Searls, and Shirley—26.

NOES—Messrs. Curtis, McCoppin, Ream, Satterwhite, Smith, and Whitney—6.

The bill was ordered to the Assembly without engrossment.

REPORTS.

Reports were submitted, as follows:

By Mr. Ream :

SENATE CHAMBER,
SACRAMENTO, March 21st, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 530—An Act to amend an Act entitled an Act in relation to highways in the County of Solano, approved March sixteenth, eighteen hundred and seventy-six.

Also, Senate Bill 443—An Act to amend section eight hundred and twenty-one of the Civil Code of the State of California.

Also, Senate Bill No. 114—An Act to amend section one thousand seven hundred and forty-six of the Political Code.

Also, Senate Bill No. 507—An Act to amend an Act entitled an Act to re-incorporate the City of Vallejo, approved March twenty-seventh, eighteen hundred and seventy-two, and supplemental thereto.

D. REAM, for the Committee.

By Mr. Searls :

MR. PRESIDENT: The Committee on Corporations have had under consideration Assembly Bill No. 541—An Act to create the office of Commissioner of Transportation, and to define its powers and duties, to fix the maximum charges for transporting passengers and freights on certain railroads, and to prevent extortion and unjust discrimination thereon—have amended the same, and report it back, with the recommendation that it do pass as amended, and be made the special order for Saturday, March twenty-third, at ten o'clock A. M.

Also, have had under consideration the following Senate Bills, viz:

Senate Bill No. 538—An Act in relation to railroads.

Senate Bill No. 359—An Act amendatory of and supplementary to an Act entitled an Act to provide for the appointment of Commissioners of Transportation, to fix the maximum charges for freights and fares, and to prevent extortion and discrimination on railroads in this State, approved April third, eighteen hundred and seventy-six.

Senate Bill No. 360—An Act for the prevention of unjust discrimination, and for the regulation of freights and fares on railroads in this State—and report the same back, with the recommendation that they do not pass.

Also, have had under consideration Assembly Bill No. 584—An Act to provide for the construction of a railroad from the Town of Truckee, Nevada County, to Tahoe City, Lake Bigler, Placer County, and to regulate fares and freights thereon—and report the same back, with the recommendation that it do pass.

NILES SEARLS, Chairman.

The rules were suspended, and Assembly Bill No. 541, Senate Bill No. 358, Senate Bill No. 359, and Senate Bill No. 360, above reported, were taken up and made a special order for Monday next, after the reading of the Journal.

By Mr. McGarvey :

MR. PRESIDENT: The Judiciary Committee, to whom was referred Senate Bill No. 554—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure—have had the same under consideration, and report it back, with the recommendation that it do pass.

Also, Senate Bill No. 616—An Act to encourage irrigation in Sierra County—report the same back, and recommend its reference to the Sierra delegation.

Also, Senate Bill No. 599—An Act for the issuing of licenses to hotel runners—report the same back, a majority recommend that it do not pass.

Also, Senate Bill No. 552—An Act to amend section five hundred and forty-two of the Code of Civil Procedure—report the same back, and recommend that it do not pass.

R. MCGARVEY, Chairman.

Senate Bill No. 616, above reported, was so referred.

By Mr. Hill :

MR. PRESIDENT: The Committee on Agriculture, to whom was referred Assembly Bill No. 435—An Act to amend the Penal Code by adding a new section thereto, to be numbered forty, concerning the sale of artificial or spurious honey, etc.—have had the same under consideration, and herewith report the bill back to the Senate, and recommend passage.

Also, Assembly Bill No. 543—An Act to amend an Act to provide for constructing division fences, approved March ninth, eighteen hundred and seventy-six—and herewith report the bill back to the Senate, and recommend the same do not pass.

Also, Senate Bill No. 483—An Act to prohibit animals from trespassing on private lands embraced within the external limits of the heretofore Mexican grants called Yokaya and Sanel, in Mendocino County—and report the same back, and recommend the bill do not pass.

Also, Senate Bill No. 512—An Act to promote the interests of agriculture—and report the same back with amendment, recommend the adoption of the amendment and passage of the bill as amended.

HILL, Chairman.

Also :

MR. PRESIDENT: The Napa delegation, to whom was referred Assembly Bill No. 661—An Act to provide for the building of and furnishing a Court-house, offices, and Jail, in Napa County, and for repairing the Court-house grounds—have had the same under consideration, and herewith report the same back to the Senate, and recommend its passage.

HILL, for Delegation.

Rules suspended, and the bill, above reported, taken up.

Read third time, and passed.

By Mr. Craig :

MR. PRESIDENT: The Judiciary Committee, to whom was referred Assembly Bill No. 178—An Act to amend section six hundred and ninety of the Code of Civil Procedure, in reference to property exempt from execution and forced sale—report the same with amendments, and recommend its passage as amended.

Also, Senate Bill No. 243—An Act to amend section six hundred and ninety of the Code of Civil Procedure—report the same back, and recommend that it do not pass.

Also, Senate Bill No. 250—An Act to amend section six hundred and ninety of the Code of Civil Procedure—report the same back, and recommend that it do not pass.

CRAIG, for the Committee.

By Mr. Ream :

MR. PRESIDENT: The Committee on Hospitals, to whom was referred Assembly Bill No. 735—have had the same under consideration, report it back, and recommend its passage.

D. REAM, Chairman.

By Mr. Boyston :

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, substitute for Senate Bill No. 438—An Act to create Hastings' College of the Law, in the University of the State of California.

Also, Senate Bill No. 26—An Act to amend section two hundred and ninety-nine of the Civil Code.

Also, substitute for Senate Bill No. 508—An Act to enable the City of Oakland to acquire and maintain public water-works.

Also, Senate Bill No. 203—An Act to provide for the extension of Tehama Street, in the City and County of San Francisco.

Also, Senate Bill No. 180—An Act for the relief of Hoagland and others.

Also, Senate Bill No. 317—An Act to confirm the title to certain property on the water front in the City and County of San Francisco.

And, this day, at five o'clock P. M., presented the same to the Governor.

JOHN S. BOYSTON, for Committee.

SENATE CHAMBER,
SACRAMENTO, March 22d, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 507—An Act to amend an Act entitled an Act to re-incorporate the City of Vallejo, approved March twenty-seventh, eighteen hundred and seventy-two, and supplemental thereto.

And, this day, at eleven o'clock A. M., presented the same to the Governor.

JOHN S. BOYSTON, for Committee.

By Mr. Nunan :

MR. PRESIDENT: The San Francisco delegation, to whom was referred Assembly Bill No. 172—An Act to prevent conflagrations in the City and County of San Francisco, by limiting the height of wooden buildings and structures of wood therein—have had the same under consideration, report it back, and recommend passage of substitute.

Also, Senate Bill No. 525—Relative to authorizing and empowering the Board of Education to sell certain real estate—report it back, and recommend passage of substitute.

Also, Assembly Bill No. 643—Relative to repairing streets and sewers in case of urgent necessity—report it back, and recommend passage as amended.

Also, Assembly Bill No. 405—Relative to condemning property within the limits of Hickory Avenue, between Gough and Octavia Streets—report it back, and recommend its passage.

Also, Assembly Bill No. 515—An Act to amend an Act entitled an Act to preserve the name of a street—report it back, and recommend its passage.

Also, substitute for Assembly Bill No. 113—Relative to the Fire Department—report it back, and recommend its passage.

Also, Assembly Bill No. 179—Relative to regulating street railroads in the State of California—report it back, and recommend its passage.

E. NUNAN, Chairman.

Assembly Bill No. 643, above reported, was taken up under a suspension of the rules.

Amendments concurred in.

Read third time, and passed.

By Mr. Fowler:

MR. PRESIDENT: Your committee, to whom was referred Assembly Bill No. 529—have had the same under consideration, and report the same back with amendments, and recommend the passage of the same as amended.

THOMAS FOWLER, Delegation.

Rules suspended, and the bill taken up.

Amendments adopted.

Read third time, and passed.

By Mr. Crane:

MR. PRESIDENT: The delegation from Butte County, having had under consideration Assembly Bill No. 688—report the same back with an amendment, and recommend its passage.

Also, Assembly Bill No. 700—and recommend its passage.

Also, Assembly Bill No. 705—with amendment, and recommend its passage.

CRANE, for Delegation.

Assembly Bill No. 700, taken up under a suspension of the rules.

Read third time, and passed.

Mr. Rogers, for the San Francisco delegation, verbally reported, recommending passage, Assembly Bill No. 9—An Act to change the grades of certain streets in the City and County of San Francisco.

Rules suspended, and the bill taken up.

Amended.

Read third time, and passed.

Mr. Beazell, for the delegation, verbally reported Senate Bill No. 478—An Act to provide funds for the school department of the Town of Alameda—recommending concurrence in Assembly amendment to the bill.

Rules suspended, and the bill taken up.

Amendment concurred in.

Mr. Lewis, for the delegation, verbally reported Assembly Bill No. 789—An Act granting the Board of Supervisors of Colusa County additional powers—recommending passage.

Rules suspended, and the bill taken up.

Read third time, and passed.

Mr. Shirley, for the delegation, verbally reported Senate Bill No. 488—An Act to amend an Act entitled an Act concerning roads and highways in Contra Costa County, approved March eleventh, eighteen hundred and seventy-six—with Assembly amendments to the bill.

Rules suspended.

Amendments concurred in.

Also, Senate Bill No. 556—An Act to provide for the extermination

of squirrels in the County of Contra Costa—recommending its passage.

Rules suspended, amendments adopted, considered engrossed, read third time, and passed, and ordered to the Assembly without engrossment.

Mr. Flint verbally reported Assembly Bill No. 756—An Act in relation to juries in Justices' Courts and witnesses in Courts of record, in the County of Santa Cruz—recommending passage.

Rules suspended, and the bill taken up.

Read third time, and passed.

GOVERNOR'S MESSAGE.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, March 21st, 1878.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bills, substitute for Senate Bill No. 35—An Act to provide for determining the rights of parties in certain swamp and overflowed lands in Fresno and Kern Counties.

Substitute for No. 186—An Act in relation to the office of Sheriff of the City of San Francisco.

No. 271—An Act conferring additional powers upon the Board of Supervisors, and the Auditor and Treasurer, of the City and County of San Francisco.

No. 291—An Act to amend an Act entitled an Act to amend an Act entitled an Act to incorporate the Town of Watsonville, Santa Cruz County, California, approved March thirtieth, eighteen hundred and sixty-eight.

No. 389—An Act to prevent the trespassing of animals upon private property in the County of Yolo.

No. 444—An Act to quiet title to town lots in the City of Visalia.

No. 470—An Act to amend certain sections of an Act entitled an Act to provide for the location, construction, and maintenance of public roads in the County of Nevada, approved March twenty-first, eighteen hundred and seventy-two.

WILLIAM IRWIN, Governor.

Mr. Murphy of San Luis Obispo, for the delegation, verbally reported Senate Bill No. 421.

Which, on motion of Mr. Murphy, was indefinitely postponed.

Mr. Smith presented a petition from citizens of the southern part of the State, asking State aid for a Bureau of Immigration now in operation in that portion of the State.

Received, and referred to the Committee on Hospitals.

Mr. Smith was granted leave of absence.

On motion of Mr. Craig, the rules were suspended, and substitute for Senate Bill No. 316 taken from the general file, and made a special order for Wednesday next, at one o'clock P. M.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows:

By Mr. Dean: Senate Bill No. 631—An Act to provide for the improvement of Van Ness Avenue, in the City and County of San Francisco.

Read first and second times, and ordered at the head of general file for to-morrow.

By Mr. Nunan: Senate Bill No. 632—An Act to amend section one of an Act entitled an Act to authorize the Board of Supervisors

of the City and County of San Francisco to modify and change the grades of streets in said city and county.

Read first and second times, and referred to the San Francisco delegation, and ordered not printed.

By Mr. Pierson: Senate Bill No. 633—An Act to further define the judicial districts in the City and County of San Francisco.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed, and ordered transmitted to the Assembly forthwith without engrossment.

By Mr. Murphy of Santa Clara: Senate Bill No. 634—An Act to amend an Act entitled an Act to re-incorporate the City of San José, approved March seventeenth, eighteen hundred and seventy-four.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed, and ordered transmitted to the Assembly without engrossment.

By Mr. Shirley: Senate Bill No. 635—An Act to appropriate money for the expenses of a delegate from the State of California to the meeting of the Fifth Annual Conference of Charities, to meet at Cincinnati, Ohio, on the twenty-first of May, eighteen hundred and seventy-eight.

Read first and second times, and referred to the Committee on Finance and Claims.

By Mr. Fowler: Senate Bill No. 636—An Act amendatory of and supplementary to an Act entitled an Act to amend an Act entitled an Act authorizing certain parties to improve a portion of King's River, and to erect booms thereon, approved March eighteenth, eighteen hundred and seventy-two, approved March twenty-seventh, eighteen hundred and seventy-six.

Read first and second times, rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed, and ordered transmitted to the Assembly forthwith without engrossment.

By Mr. Donovan: Senate Bill No. 637—An Act declaring the House of Correction of the City and County of San Francisco a Branch County Jail.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Montgomery: Senate Bill No. 638—An Act to provide for the payment of the indebtedness of Snelling School District, in the County of Merced, State of California.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

Ordered to the Assembly without engrossment.

MOTIONS AND RESOLUTIONS.

Resolutions were offered, as follows:

By Mr. Evans:

Resolved, That all bills reported from committees, with a unanimous recommendation for their passage, shall take precedence on the file; and that all bills having a majority recommendation for their passage, shall be placed next on file; and that the next in order shall be bills reported without recommendation; and last in order shall be bills reported against.

Adopted.

By Mr. Howe:

Resolved, That all bills referred to the San Francisco delegation be so referred without being printed.

Adopted.

By Mr. Searls:

Resolved, That no bills shall hereafter be introduced except through and upon the recommendation of an appropriate standing committee.

Lost.

On motion of Mr. McCarthy, the rules were suspended, and Senate Bill No. 520 was taken from the general file, and ordered printed out of order.

Mr. Hilborn offered a resolution providing for paying Samuel Marks, Porter, twelve dollars, for services from December third to fifth, eighteen hundred and seventy-seven.

Referred to the Committee on Contingent Expenses.

Mr. Montgomery offered a resolution providing for paying L. P. Bell ——— dollars, for mailing reports of the Committee on Chinese Immigration.

Referred to Committee on Claims.

On motion of Mr. Beazell, the rules were suspended, and Assembly Bill No. 389 was taken from the general file, and ordered printed out of order.

By Mr. Searls:

Resolved, That from and after Monday, March twenty-fifth, no bills shall be introduced except by unanimous consent of the Senate.

Laid over one day.

By Mr. Hilborn: Amendment to Standing Rules. Amend Senate Rule Number Twenty-three: "No member shall be allowed to speak more than five minutes upon any bill or question without the unanimous consent of the Senate."

Adopted.

The President appointed Mr. Craig to fill the vacancy in the Committee on Retrenchment and Reform.

[Mr. Murphy of San Francisco in the chair.]

GENERAL FILE.

Substitute for Senate Bill No. 568—An Act to regulate the boxing, stamping, and sale of cigars made in the State of California.

Substitute adopted.

Mr. B. D. Murphy moved to indefinitely postpone the bill.

On which the ayes and noes were demanded by the requisite number, and the motion was lost by a vote, as follows:

AYES—Messrs. Hill, Murphy of San Luis Obispo, and Murphy of Santa Clara—3.

NOES—Messrs. Bones, Brown of Amador, Brown of El Dorado, Coleman, Crane, Donovan, Evans, Goodwin, Gwin, Lambert, Lewis, McCarthy, McCoppin, Montgomery, Murphy of San Francisco, Nunan, Ream, Rogers, Satterwhite, Searls, and Whitney—21.

Mr. Rogers moved to suspend the rules and consider the bill

engrossed, on which the ayes and noes were demanded by the requisite number, and the motion prevailed by a vote, as follows:

AYES—Messrs. Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Crane, Donovan, Fowler, Gwin, Haymond, Howe, Lambert, Lewis, McCoppin, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Nunan, Rogers, Satterwhite, Searls, Shirley, and Whitney—23.

NOES—Messrs. Hill, McGarvey, and Murphy of Santa Clara—3.

Read third time and passed, and ordered to the Assembly without engrossment.

RECESS.

At twelve o'clock and twenty minutes P. M., on motion of Mr. Lewis, the Senate took a recess until one o'clock and thirty minutes P. M.

RE-ASSEMBLED.

At one o'clock and thirty minutes P. M., Senate re-assembled.
President in the chair.

The roll was called, and the following Senators answered to their names:

MESSRS. BONES, Boring, Brown of El Dorado, Coleman, Curtis, Dean, Donovan, Evans, Flint, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Ream, Satterwhite, Searls, Shirley, and Whitney.

Quorum present.

Mr. Ream submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, March 22d, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 108—An Act to amend section forty of the Civil Code.

Also, Senate Bill No. 618—An Act entitled an Act to incorporate the City of San Luis Obispo, approved March twentieth, eighteen hundred and seventy-six.

Also, Senate Bill No. 540—An Act to authorize the Board of Supervisors of the City and County of San Francisco to appropriate money for the improvement of Alamo Square, in said city and county.

D. REAM, for the Committee.

Mr. Pierson, for the Committee on Public Lands, verbally reported, recommending passage, Assembly Bill No. 571—An Act to reorganize Swamp Land District Number Seventy, of Sutter County, and provide for the construction, maintenance, and repairs of levees therein.

Rules suspended, and the bill taken up.

Read third time, and passed.

Mr. Gwin, for the delegation, verbally reported Senate Bill No. 559—An Act to provide for the care and maintenance of the indigent sick of Tuolumne County—recommending concurrence in the Assembly amendment to the bill.

Rules suspended, the bill taken up, and amendment concurred in.

Mr. Nunan, for the delegation, verbally reported, recommending passage, Senate Bill No. 632, introduced by him to-day.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

Ordered to Assembly without engrossment.

Senate Bill No. 631, introduced by Mr. Dean to-day, was taken up for consideration.

Amended.

Considered engrossed, read third time, and passed.

Ordered to Assembly without engrossment.

On motion of Mr. Donovan, the rules were suspended to take up substitute for Senate Bill No. 525—An Act to authorize and empower the Board of Education of the City and County of San Francisco to sell certain real estate.

Substitute adopted.

Rules suspended, considered engrossed, read third time, and passed.

Mr. Craig, in accordance with previous notice, moved to reconsider the vote by which Senate Bill No. 472 was indefinitely postponed, on yesterday.

The motion was made a special order for Tuesday next, at one o'clock P. M.

Mr. Haymond introduced a bill, as follows: Senate Bill No. 639—An Act in relation to the State militia.

Read first and second times, and referred to the Senator from Colusa and Tehama Counties.

GENERAL FILE RESUMED.

On motion of Mr. McGarvey, no bills were taken up to be considered, to which objections were made.

Senate Bills Nos. 413, 415, and 290 were passed on file.

Senate Bill No. 482—An Act to amend section three hundred and thirty-six of the Civil Code of the State of California.

Substitute adopted.

Rules suspended, and read third time.

The Senate refused to pass the bill.

Senate Bill No. 439—An Act to amend section one thousand three hundred and eighty-six of the Civil Code.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 526—An Act to amend section one thousand one hundred and eighty-three of the Code of Civil Procedure.

Rules suspended, considered engrossed, read third time.

On the passage of the bill, the ayes and noes were demanded by the requisite number, and the Senate refused to pass the bill by a vote, as follows:

AYES—Messrs. Bones, Brown of El Dorado, Craig, Curtis, Donovan, Flint, Howe, Lewis, McCarthy, Murphy of San Francisco, Nunan, and Rogers—12.

NOES—Messrs. Boring, Brown of Amador, Coleman, Crane, Dean, Gwin, Hilborn, Hill, Lambert, McCoppin, McGarvey, Montgomery, Murphy of San Luis Obispo, Murphy of Santa Clara, Ream, Satterwhite, Searls, Shirley, and Whitney—19.

Substitute for Senate Bill No. 225—An Act regulating the collection of poll tax in Merced County.

Substitute adopted.

Rules suspended, considered engrossed, read third time, and passed.

Substitute for Senate Bill No 300—An Act to add a new section to the Penal Code, to be known as section one thousand six hundred and fifteen.

Substitute adopted.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 341—An Act to amend section two hundred and ninety-three of the Civil Code.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 484—An Act to amend section two hundred of the Code of Civil Procedure.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 485—An Act to authorize the Board of State Harbor Commissioners to adjust and pay the claim of J. C. Smith.

Amended.

Rules suspended, considered engrossed, read third time, and passed.

By order of the Senate, all Senate bills passed to-day were ordered transmitted to the Assembly without engrossment.

Senate Bill No. 534—An Act to amend the Code of Civil Procedure.

Amended.

Rules suspended, considered engrossed, read third time, and passed.

Substitute for Assembly Bill No. 173, Assembly Bills Nos. 375, 326, 417, 353, 664, 302, 438, and 636, passed on file.

Senate Bills Nos. 541 and 607, passed on file.

Assembly Bill No. 247—An Act to regulate fees of office in certain counties.

Read third time, and passed.

Assembly Bill No. 420—An Act to prevent the trespassing of goats on inclosed lands in Amador County.

Read third time, and passed.

Assembly Bill No. 475—An Act to amend an Act entitled an Act to establish a Political Code, approved March twelfth, eighteen hundred and seventy-two, in relation to the navigable waters of this State.

Read third time, and passed.

Assembly Bill No. 496—An Act to amend sections three hundred and twelve and three hundred and fifteen of the Civil Code, relative to the election of directors of corporations.

Amended.

Read third time, and passed.

Senate Bill No. 377—An Act to provide for a levee, drainage, and road district in the County of Yolo.

Amended.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Bill No. 442—An Act to add a new section to the Code of Civil Procedure, relating to witnesses.

Read third time, and passed.

Assembly Bill No. 425—An Act to amend section nine hundred and nine of the Political Code, relative to oath of office of County Judges and County Clerks.

Amended.

Read third time, and passed.

Assembly Bill No. 424—An Act to amend section eight hundred of the Political Code of California, relative to the oath of office of Notaries Public.

Read third time, and passed.

Assembly Bill No. 602—An Act to confer certain powers upon the Board of Auditors of El Dorado County.

Read third time, and passed.

Assembly Bill No. 639—An Act relative to the State Insane Asylum.

Re-referred to Committee on Hospitals.

Senate Bill No. 493—An Act to amend section four thousand four hundred and twenty-five of the Political Code.

Rules suspended, considered engrossed, read third time, and passed.
[Mr. Murphy of San Francisco in the chair.]

Substitute for Senate Bill No. 494—An Act to amend section three thousand four hundred and eighty-nine of the Political Code.

Substitute adopted.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 613—An Act to amend an Act entitled an Act for the relief of purchasers of State lands, approved March twenty-seventh, eighteen hundred and seventy-two.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Bill No. 536—An Act amendatory of and supplementary to an Act entitled an Act to prescribe the duties and provide the salary of certain officers of San Mateo County, and other matters relating thereto, approved March eighteenth, eighteen hundred and seventy-four.

Read third time, and passed.

Assembly Bill No. 679—An Act to amend an Act to incorporate the City of Santa Barbara.

Read third time, and passed.

Assembly Bill No. 680—An Act to authorize the Common Council of the City of Santa Barbara to lay out, open, and improve streets in said city.

Amended, read third time, and passed.

Assembly Bill No. 691—An Act to confer certain powers on the Board of Supervisors of the County of San Mateo.

Read third time, and passed.

Assembly Bill No. 692—An Act relating to fees of Justices of the Peace in Colusa County.

Read third time, and passed.

Assembly Bill No. 474—An Act to provide for the construction and repair of bridges in the County of Mendocino.

Amended.

Read third time, and passed.

Senate Bill No. 609—An Act to amend an Act entitled an Act to district the City of Oakland into wards, approved February nineteenth, eighteen hundred and seventy-six.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Bill No. 555—An Act to amend section one hundred and eighty-one of the Political Code, in relation to mileage.

Read third time, and passed.

Assembly Bills Nos. 351, 82, 352, 369, and 485—each passed on file.

Senate Bills Nos. 586, 326, and 497—each passed on file.

Assembly Bill No. 437—An Act to confer further powers on the Board of Supervisors of the City and County of San Francisco, and to establish the grade of Vallejo Street in said city and county.

Read third time, and passed.

Assembly Bill No. 494—An Act to amend section one thousand nine hundred and thirty-seven of the Political Code, relative to returns of militia to County Assessor.

Read third time, and passed.

Assembly Bill No. 548—An Act making an appropriation for the payment of guard and other military duty, performed in San Francisco in November, eighteen hundred and seventy-seven, and Jan-

uary, eighteen hundred and seventy-eight, by detachments of the National Guard, and other expenses appertaining thereto.

Read third time, and passed.

Assembly Bill No. 594—An Act to establish and maintain a free dispensary in the City and County of San Francisco.

Read third time, and passed.

Senate Bill No. 231—An Act to confer further powers on the Common Council of the City of Santa Barbara.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 529—An Act for the extension of Fourteenth Street, in the City and County of San Francisco.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 533—An Act for the relief of A. D. Splivalo, J. H. Coleman, and Juan de Toro.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 546—An Act to amend sections three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, three thousand seven hundred and ninety, and three thousand seven hundred and ninety-seven of the Political Code.

Indefinitely postponed.

Senate Bill No. 555—An Act to amend section twenty of an Act entitled an Act repealing Article Four of an Act entitled an Act to repeal the several charters of the City of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved April nineteenth, eighteen hundred and fifty-six, and all Acts and parts of Acts amendatory thereof and supplementary thereto, approved April first, eighteen hundred and seventy-two.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 617—An Act to amend section five hundred and thirty-nine of the Code of Civil Procedure.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Bill No. 658—An Act to encourage the destruction of squirrels and gophers in the County of San Joaquin.

Read third time, and passed.

Assembly Bill No. 690—An Act for the scaling of logs in the County of Humboldt.

Amended.

Read third time, and passed.

Assembly Joint Resolution No. 59—Relative to the production of sugar from beets, melons, etc.

Read third time, and passed.

Mr. Evans, for the Committee on Military Affairs, verbally reported, with amendments, Assembly Bill No. 283—An Act relating to the civil government of military companies—recommending passage as amended.

Mr. Searls submitted a report, as follows:

MR. PRESIDENT: The Sierra delegation, to whom was referred Senate Bill No. 616—An Act to encourage irrigation in Sierra County—report the same back, and recommend its passage.

NILES SEARLS.

By Mr. Ream:

SENATE CHAMBER,
SACRAMENTO, March 22d, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 369—An Act for the protection of the public roads on Sherman Island.

Also, Senate Bill No. 384—An Act for the relief of John Q. Hendricks, Charles Carroll, and R. D. Hubbard.

D. REAM, for the Committee.

GENERAL FILE RESUMED.

Assembly Bill No. 363—An Act to amend section three thousand and fifty-one of the Civil Code, in reference to liens for services.

Read third time, and passed.

Assembly Bill No. 288—An Act to amend sections five hundred and sixty-four, five hundred and sixty-six, and five hundred and sixty-seven of the Political Code, and to add a new section, to be numbered section five hundred and sixty-eight.

Read third time, and passed.

Senate Bill No. 583—An Act to amend certain sections of the Code of Civil Procedure, in reference to attachments.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bills Nos. 292, 587, 589, 591, 592, 125, 531, and 557.

Passed on file.

Senate Bill No. 253—An Act to make an appropriation for the California Woman's Hospital.

Indefinitely postponed.

Senate Bill No. 563—An Act supplementary to and amendatory of an Act to authorize the erection and maintenance of a draw-bridge across Petaluma Creek, in the City of Petaluma.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 603—An Act to authorize the City and County of San Francisco to allow and pay the claim of John O'Connor.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 450—An Act to enable railroad companies to complete their railroads.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Joint Resolution No. 65—Relative to constructing a breakwater, or sea-wall, in the Harbor of Santa Barbara.

Read third time, and passed.

Assembly Joint Resolution No. 67—Relative to a weekly mail route from the county seat of Fresno County via Liberty, to Waltham Cañon, Fresno County.

Read third time, and passed.

Assembly Bill No. 88—An Act to amend section three hundred and seven of the Civil Code.

Indefinitely postponed.

Substitute for Assembly Bill No. 289.

Passed on file.

Assembly Bill No. 787—An Act to regulate and protect bee-keeping in the County of San Bernardino.

Read third time, and passed.

Senate Bill No. 527—An Act to amend a certain section of the Civil Code, relating to corporations.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 624—An Act to provide a fund for the repairing of roads in San Luis Obispo County.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 625—An Act concerning roads and highways in San Luis Obispo County.

Rules suspended, considered engrossed, read third time, and passed.

At four o'clock and forty minutes P. M., Mr. B. D. Murphy moved to take a recess until seven o'clock and thirty minutes P. M., this evening.

Lost.

[President in the chair.]

ASSEMBLY MESSAGES.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, March 22d, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, passed, and ordered transmitted without engrossment, Assembly Bill No. 814—An Act to create and organize Reclamation District Number Three Hundred and Seventeen, and to define its boundaries, and provide for its government.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 22d, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twentieth day of March, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 431—An Act to provide for the collection of delinquent taxes and street assessments of the City of Sacramento.

Assembly Bill No. 656—An Act to provide for the election for officers of the City of Sacramento.

Assembly Bill No. 717—An Act to provide for widening the public road leading from the City of Sacramento to the American River bridge.

And, on March twenty-first, passed Assembly Bill No. 649—An Act to improve and perfect the present sewerage system of the City and County of San Francisco.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 22d, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twentieth day of March, A. D. eighteen hundred and seventy-eight, passed the following Assembly Bills:

Assembly Bill No. 779—An Act to supply the Town of Oroville with water for fire purposes.

Assembly Bill No. 743—An Act to amend section six of an Act entitled an Act to separate the office of County Recorder from the office of County Clerk, and to regulate the salaries of certain officers of the County of Stanislaus, approved March fourth, eighteen hundred and seventy-four.

Assembly Bill No. 734—An Act to provide for the extermination of squirrels in the County of Los Angeles.

Assembly Bill No. 741—An Act fixing the pay of Supervisors in the County of Alameda.

Assembly Bill No. 742—An Act to prevent hogs from running at large in Townships Numbers Two and Four of the County of Amador.

Assembly Bill No. 511—An Act to amend an Act to prevent hogs from running at large in the Town of Shasta, approved February twenty-sixth, eighteen hundred and seventy-two, so far as to make the same applicable to the Town of Redding, in Shasta County.

Assembly Bill No. 749—An Act granting leave of absence from the State to G. W. Hughes, County Assessor of the County of Ventura.

Assembly Bill No. 750—An Act to improve the stream known as Mad River and its north fork, in Humboldt County, and to facilitate the driving of logs therein.

Assembly Bill No. 666—An Act to amend an Act approved March thirtieth, eighteen hundred and seventy-six, entitled an Act supplementary to and amendatory of an Act approved March twenty-fourth, eighteen hundred and seventy-four, entitled an Act amendatory of and supplementary to an Act entitled an Act to provide for the establishment and maintenance of public roads in Napa County, approved March thirty-first, eighteen hundred and seventy-six.

Assembly Bill No. 664—An Act to amend an Act, approved March twenty-fourth, eighteen hundred and seventy-four, entitled an Act amendatory of and supplementary to an Act entitled an Act to provide for the establishment and maintenance of public roads in Napa County, approved March thirty-first, eighteen hundred and seventy-six.

Assembly Bill No. 732—An Act amendatory of and supplementary to an Act entitled an Act to authorize the Board of Trustees of Mission School District, in the County of San Luis Obispo,

to borrow money for certain purposes, and provide for the payment of the same, approved March twenty-eighth, eighteen hundred and seventy-six.

Assembly Bill No. 727—An Act to incorporate the Town of Yuba City.

Assembly Bill No. 681—An Act concerning the assessment and collection of municipal taxes upon personal property in the City and County of San Francisco.

Assembly Bill No. 712—An Act to fix the salary of the County Judge of San Joaquin County.

Assembly Bill No. 744—An Act authorizing and directing the Clerk of the Supreme Court of the State of California to make a general analytical index of all cases filed in the Supreme Court of this State from the organization.

Assembly Bill No. 768—An Act to attach a portion of King's River Switch School District, in Tulare County, to Kingsbury District, in Fresno County.

Assembly Bill No. 740—An Act to provide sewerage for the City of Santa Cruz.

Assembly Bill No. 798—An Act to authorize the transfer of certain funds in the County of Sutter.

And, on this day, passed, and ordered transmitted without engrossment, Assembly Bill No. 769—An Act to amend an Act entitled an Act to re-incorporate the City of Napa, approved February twenty-fourth, eighteen hundred and seventy-four, amended by an Act, approved March twenty-ninth, eighteen hundred and seventy-six.

Assembly Bill No. 770—An Act supplemental and amendatory of an Act entitled an Act to incorporate the Town of St. Helena, approved March twenty-fourth, eighteen hundred and seventy-six.

Assembly Bill No. 812—An Act amendatory of an Act entitled an Act concerning trespassing of animals upon private lands in certain counties in the State of California, approved March seventh, eighteen hundred and seventy-eight.

Also, that the State of California, approved March seventh, eighteen hundred and seventy-eight.

Also, that the Assembly receded from its amendments to Senate Bill No. 86—An Act to declare Clear Lake navigable, as recommended by committee of conference.

Also, adopted the report of the committee of free conference on Assembly Bill No. 500—An Act to authorize the construction of a public wagon road in the County of San Bernardino, and to provide for the payment of the costs of the same.

Also, refused to concur in Senate amendments to Assembly Bill No. 433—An Act creating a Board of Bank Commissioners, and prescribing their duties and powers.

Also, return herewith Assembly Bill No. 737—An Act to confer additional powers of the County of Contra Costa, duly amended.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bills Nos. 712, 768, 740, 798, 769, 770, 812, 743, 734, 741, 742, 750, 666, 664, 732, 727, substitute for 667, 717, 431, 649, and 737, above reported.

Each read first and second times, and referred to the delegations named in the bills.

Assembly Bills Nos. 681 and 779, above reported.

Each read first and second times, and ordered on the general file.

Assembly Bill No. 744, above reported.

Read first and second times.

Rules suspended, and, by unanimous consent, read third time, and passed.

Assembly Bill No. 749, above reported.

Read first and second times.

Rules suspended, and, by unanimous consent, read third time, and passed.

Assembly Bill No. 814, above reported.

Read first and second times.

Rules suspended, and, by unanimous consent, read third time, and passed.

Assembly Bill No. 500, above reported.

Mr. Satterwhite submitted a report from the Committee of Free Conference, as follows:

MR. PRESIDENT: Your Committee of Free Conference on Assembly Bill No. 500—An Act to authorize the construction of a public wagon road in the County of San Bernardino, and to

provide for the payment of the cost of the same—recommend that the Senate recede from its amendment, and that the following amendment be adopted:

After the words "receive for the same," in section sixteen, strike out what remains, and insert "compensation according to law."

SATTERWHITE and WATERS, for Committee.

The report was adopted, and the Senate receded from its amendment to the bill, and concurred in the amendment to section sixteen, as above.

Assembly Bill No. 433, above reported.

The Senate voted to adhere to its amendment to the bill, and appointed a Committee of Free Conference on the disagreeing vote.

The President appointed the committee, on the part of the Senate, as follows: Messrs. Gwin, Searls, and McCoppin.

ADJOURNMENT.

At four o'clock and fifty-three minutes P. M., Mr. J. C. Murphy moved to adjourn, on which the ayes and noes were demanded by the requisite number, and the motion prevailed by a vote, as follows:

AYES—Messrs. Beazell, Bones, Boring, Craig, Crane, Curtis, Dean, Evans, Flint, Goodwin, Hilborn, Howe, Lewis, McCarthy, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Nunan, Pierson, Satterwhite, Searls, and Shirley—23.

NOES—Messrs. Donovan, Fowler, Haymond, Murphy of Santa Clara, Ream, and Whitney—6.

When the President announced the Senate adjourned until eleven o'clock A. M., to-morrow.

IN SENATE.

SENATE CHAMBER,
SATURDAY, March 23d, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Curtis, Evans, Flint, Fowler, Goodwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, and Smith.

Quorum present.

The Journal of yesterday not read. Same approved.

Mr. Evans offered a resolution, as follows:

Resolved, That Senate Bills that have passed the Senate, and returned from the Assembly with amendments, and the amendments concurred in, shall be immediately given to the Enrolling Clerk for enrollment without being again engrossed.

Adopted.

REPORTS.

Reports were submitted, as follows:

By Mr. Pierson:

SENATE CHAMBER.

SACRAMENTO, March, 22d, 1878.

MR. PRESIDENT: Your Committee on Public and Swamp and Overflowed Lands beg leave to report Assembly Bill Nos. 140, 62, 482, and 464, and Senate Bill No. 509, and recommend their passage.

PIERSON, Chairman.

Assembly Bill No. 143, above reported, was taken up under a suspension of the rules.

Read third time, and passed.

By Mr. Curtis:

MR. PRESIDENT: The Library Committee, to which was referred Assembly Bill No. 304—An Act to amend section two thousand two hundred and ninety-six of the Political Code, relative to the taking of books from the State Library—have had the same under consideration, and report it back to the Senate, with the recommendation that it do not pass.

They have also had under consideration Assembly Bill No. 461—An Act to amend section two thousand two hundred and ninety-five of the Political Code, in reference to the State Library—report the same back, and recommend its passage.

Respectfully submitted,

CURTIS, Chairman.

By Mr. Howe:

SENATE CHAMBER.

SACRAMENTO, March 23d, 1878.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 126—entitled an Act to secure South River, in El Dorado County, navigable—have had the same under consideration, report it back, and recommend its passage.

HOWE, Chairman.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

By Mr. Shirley:

SACRAMENTO, March 23d, 1878.

MR. PRESIDENT: Your Committee on State Prison, to which was referred Senate Bill No. 402—An Act to authorize the Directors of the State Prison, to make contracts for the hire of convicts to labor without the walls of the Prison—have had the same under consideration, and recommend that it do not pass.

PAUL SHIRLEY, Chairman.

Also:

SACRAMENTO, March 23d, 1878.

MR. PRESIDENT: The Committee on State Prison, to which was referred Senate Bill No. 470—An Act to amend an Act to relocate and govern the California State Prison, approved April third, eighteen hundred and seventy-six—report the same back with amendments, and recommend its passage as amended.

PAUL SHIRLEY, Chairman.

Rules suspended, and the bill taken up.

Amendments adopted.

Read third time, and passed.

By Mr. McGarvey:

MR. PRESIDENT: The Judiciary Committee has had under consideration Senate Bill No. 374—and now report the same back with amendments, and a majority recommends its passage as amended.

MCGARVEY, Chairman.

By Mr. Ream:

SENATE CHAMBER.

SACRAMENTO, March 23d, 1878.

MR. PRESIDENT: The Committee on Hospitals, to which was referred Assembly Bill No. 165—An Act to protect public health from infection caused by exhumation and removal of the

remains of deceased persons—have had the same under consideration, report it back with amendments, majority recommending its passage as amended.

Also, Assembly Bill No. 639—An Act in relation to the State Insane Asylum—report the same back, and recommend its passage as amended.

D. REAM, Chairman.

Rules suspended, and the bills, above reported, taken up.

Assembly Bill No. 165.

Amendment adopted.

Read third time, and passed.

Assembly Bill No. 639.

Amendment adopted.

Read third time, and passed.

By Mr. Nunan:

SENATE CHAMBER,
SACRAMENTO, March 23d, 1878. }

MR. PRESIDENT: The San Francisco delegation, to whom was referred substitute for Senate Bill No. 366—entitled an Act to change the corporate name of the Mission Street Methodist Episcopal Church, in the City and County of San Francisco—have had the same under consideration, report it back, and recommend its passage.

Also, Assembly Bill No. 239—entitled an Act to amend an Act entitled an Act to provide for the collection of delinquent taxes in the City and County of San Francisco, approved April third, eighteen hundred and seventy-six—report it back, and recommend its passage.

Also, Assembly Bill No. 649—entitled an Act to improve and perfect the present sewerage system of the City and County of San Francisco—report it back, and a majority recommend its passage.

E. NUNAN, Chairman.

Rules suspended, and Assembly Bill No. 649 taken up, and made a special order for Monday next, immediately after the reading of Journal.

By Mr. Flint:

MR. PRESIDENT: The Santa Cruz delegation, to whom was referred Assembly Bill No. 587—having had the same under consideration, asks leave to report the same back with amendments, and recommends its passage as amended.

FLINT, for Delegation.

Rules suspended, and the bill taken up.

Amendments adopted.

Read third time, and passed.

Mr. McCoppin, for the Committee on Claims, verbally reported, and recommended passage, Assembly Bill No. 473—An Act for the payment of a claim for collecting purchases of school lands.

Rules suspended, and the bill taken up.

Read third time, and passed.

Mr. Evans, for the delegation, verbally reported, recommending passage, Assembly Bill No. 712—An Act to fix the salary of the County Judge of San Joaquin County.

Rules suspended, and the bill taken up.

Read third time, and passed.

Mr. Curtis, for the delegation, verbally reported, recommending passage, Assembly Bill No. 522—An Act to organize Levee District Number One of Sacramento County, and to provide for its government.

Rules suspended, and the bill taken up.

Read third time, and passed.

Mr. Goodwin, for the delegation, verbally reported, recommending passage, Assembly Bill No. 727—An Act to incorporate the Town of Yuba City.

Also, Assembly Bill No. 798—An Act to authorize the transfer of certain funds in the County of Sutter.

Rules suspended, and the bills taken up.

Each read third time, and severally passed.

By Mr. Beazell, for the delegation, with a favorable report on the following bills:

Assembly Bill No. 662—An Act relative to the powers and duties of the Sheriff of Alameda County, in the matter of attachments of property in said county.

Also, Assembly Bill No. 741—An Act fixing the pay of Supervisors in the County of Alameda.

Rules suspended, and the bills, above reported, taken up.

Each read third time, and severally passed.

By Mr. Smith, for the delegation, recommending passage, Assembly Bill No. 734—An Act for the extermination of squirrels in certain counties.

Rules suspended, and the bill taken up.

Read third time, and passed.

By Mr. Hill, for the delegation, recommending passage of the bills, Assembly Bill No. 666—An Act to amend an Act, approved March thirtieth, eighteen hundred and seventy-six, entitled an Act supplementary and amendatory of an Act, approved March twenty-fourth, eighteen hundred and seventy-four, entitled an Act amendatory of and supplementary to an Act entitled an Act to provide for the establishment and maintenance of public roads in Napa County, approved March thirty-first, eighteen hundred and sixty-six.

Also, Assembly Bill No. 664—An Act to amend an Act, approved March twenty-fourth, eighteen hundred and seventy-four, entitled an Act amendatory of and supplementary to an Act entitled an Act to provide for the establishment and maintenance of public roads in Napa County, approved March thirty-first, eighteen hundred and sixty-six.

Rules suspended, and the bills taken up.

Each read third time, and severally passed.

By Mr. McGarvey, for the delegation, recommending its passage, Assembly Bill No. 802—An Act to provide for the election of Supervisors in the County of Mendocino.

Rules suspended, and the bill taken up.

Read third time, and passed.

By Mr. Montgomery, for the delegation, recommending passage, Assembly Bill No. 743—An Act to amend section six of an Act entitled an Act to separate the office of County Recorder from the office of County Clerk, and to regulate the salaries of certain officers of Stanislaus, approved March fourth, eighteen hundred and seventy-four.

Rules suspended, and the bill taken up.

Read third time, and passed.

Mr. Brown of El Dorado, verbally reported, for the delegation, with amendments, recommending its passage as amended, Assembly Bill No. 685—An Act to fix the salaries of certain officers of El Dorado County.

Rules suspended, and the bill taken up.

Amendments adopted.

Read third time, and passed.

Mr. Haymond, for the delegation, verbally reported with amend-

ment, Assembly Bill No. 15—An Act to promote the health of the residents of the City of Sacramento—recommending the passage of the bill as amended.

Rules suspended, and the bill taken up.

Amendment adopted.

Read third time, and passed.

Mr. Lambert, for the Committee on Federal Relations, verbally reported, recommending it do not pass, Senate Joint Resolution No. 51—Relative to United States Revenue Laws.

Rules suspended, and the resolution taken up.

Indefinitely postponed.

Mr. Fowler verbally reported, for the delegation, recommending passage, Assembly Bill No. 711—An Act in relation to distribution of school moneys in Fresno County.

Rules suspended, and the bill taken up.

Read third time, and passed.

On motion of Mr. McGarvey, the rules were suspended, and Senate Bill No. 587 was taken from the general file and re-referred to the Judiciary Committee.

SPECIAL ORDER—AFTER READING JOURNAL.

Senate Bill No. 515—An Act to amend sections three thousand four hundred and fifty-two, three thousand four hundred and fifty-three, three thousand four hundred and fifty-four, three thousand four hundred and fifty-five, three thousand four hundred and fifty-six, three thousand four hundred and fifty-nine, three thousand four hundred and sixty-one, three thousand four hundred and sixty-two, three thousand four hundred and sixty-six, three thousand four hundred and seventy-one, and three thousand four hundred and eighty-one of the Political Code, was now taken up.

Amendments concurred in.

Rules suspended, considered engrossed, read third time, and passed.

ASSEMBLY MESSAGES.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, March 23d, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twenty-second day of March, A. D. eighteen hundred and seventy-eight, amended and passed Senate Bill No. 333—An Act to establish and open Montgomery Street South, in the City and County of San Francisco, and take private lands therefor.

Passed, and ordered transmitted without engrossment, Assembly Bill No. 788—An Act authorizing and directing the Supervisors of San Mateo County to open and put in order, and maintain Middlefield Road, from Redwood City to San Francisquito Creek, and also to open and macadamize the Bay and Marsh Roads, and, for that purpose to appropriate, from the General Fund of said county, the sum of five thousand dollars.

Assembly Bill No. 790—An Act to repeal an Act entitled an Act to provide for constructing division fences, approved March ninth, eighteen hundred and seventy-six, so far as said Act relates to the County of San Mateo.

Assembly Bill No. 791—An Act to fix the terms of the County and Probate Courts of the County of San Mateo.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 23d, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twenty-second day of March, A. D. eighteen hundred and seventy-eight, passed, and ordered

transmitted without engrossment. Assembly bill No. 760—An Act to provide for the distribution of school moneys in the County of Yolo.

Assembly Bill No. 796—An Act to prevent hogs and goats from running at large in the Town of Plymouth, Amador County.

Assembly Bill No. 786—An Act to restrict sheep from being herded or running at large in Fresno County.

Assembly Bill No. 477—An Act to reestablish Court-house School District, in the County of Sonoma, and repeal an Act in relation thereto.

Also, passed Senate Bill No. 464—An Act to authorize the Board of Supervisors of the City and County of San Francisco to order Bay Street graded, and to change its grade.

Senate Bill No. 569—An Act to authorize the Board of Supervisors of Alameda County to establish a receiving hospital in the City of Oakland.

Senate Bill No. 600—An Act granting additional powers to the Mayor and Common Council of the City of San José.

Senate Bill No. 307—An Act to establish a scale for the measurement of logs.

Senate Bill No. 8—An Act for the relief of Otto Kloppenberg.

Senate Joint Resolution No. 42—Relating to the office of the United States Surveyor-General for California.

Amended and passed Senate Bill No. 510—An Act for the opening of streets in the City of Oakland.

Senate Bill No. 412—An Act concerning the macadamizing of Tyler Street from Market, and to prohibit the laying down of railroad tracks thereon.

Senate Bill No. 266—An Act conferring further powers upon the Board of Supervisors of the City and County of San Francisco.

Senate Bill No. 313—An Act to amend an Act entitled an Act in relation to certain streets in the Town of Alameda, passed March thirtieth, eighteen hundred and seventy-four.

Senate Bill No. 262—An Act to authorize the Board of Supervisors of the City and County of San Francisco to audit and pay a certain claim.

Senate Bill No. 280—An Act to confer additional powers upon, and authorize certain appropriations of money by, the Board of Supervisors of the City and County of San Francisco.

Senate Bill No. 48—An Act to provide for the recovery of double taxation on the outside lands of the City and County of San Francisco.

Senate Bill No. 456—An Act to authorize the City of San José to issue bonds to provide sewerage for said city.

Senate Bill No. 547—An Act relative to the Board of Trustees of the City of Sacramento.

And indefinitely postponed Senate Bill No. 268—An Act to amend section two of an Act entitled an Act to create a City Criminal Court in and for the City and County of San Francisco, approved April third, eighteen hundred and seventy-six.

Also, concurred in Senate amendments to Assembly Bills Nos. 612, 529, 111, 680, 474, 690, 693, 274, and 648.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 46, above reported.

Read first and second times, and, by unanimous consent, read third time, and passed.

Assembly Bill No. 796, above reported.

Read first and second times, and, by unanimous consent, read third time, and passed.

Assembly Bills Nos. 786, 477, 790, 791, and 788, above reported.

Each read first and second times, and referred to the delegations named in the bills.

Senate Bills Nos. 388, 510, 412, 256, 262, 547, 48, 456, and 280.

Assembly amendments to each of the bills concurred in.

Senate Bill No. 313, above reported.

Referred to the San Francisco delegation.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows:

By Mr. McCoppin: Senate Bill No. 640—An Act to provide a contingent fund for the use of the Legislature.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

By Mr. Pierson: Senate Bill No. 641—An Act supplemental to an Act entitled an Act to legalize the assessment of taxes in the City and County of San Francisco, and to ratify and confirm a resolution of the Board of Supervisors of the City and County of San Francisco, approved March nineteenth, eighteen hundred and seventy-eight.

Read first and second times, and, by unanimous consent, read third time, and passed.

Ordered to the Assembly without engrossment.

By Mr. Goodwin: Senate Bill No. 642—An Act in relation to swamp land districts, to be formed where the land, in such district, lies in two or more counties.

Read first and second times, and, by unanimous consent, read third time, and passed.

Ordered to the Assembly without engrossment.

By Mr. Ream: Senate Bill No. 643—An Act to amend Article Four, Section Two Hundred and Sixty-one of the Political Code.

Read first and second times.

Rules suspended, and, by unanimous consent, read third time, and passed.

Ordered to the Assembly without engrossment.

By Mr. Nunan: Senate Bill No. 644—An Act to confirm certain acts of the committee appointed under order number seven hundred and thirty-three of the Board of Supervisors of the City and County of San Francisco.

Also, by Mr. Nunan (by request): Senate Bill No. 645—An Act amendatory of and supplementary to an Act entitled an Act to authorize the City and County of San Francisco to provide and maintain public water-works for said city and county, and purchase private property for that purpose, approved March twenty-seventh, eighteen hundred and seventy-six.

Each of the above bills read first and second times, and referred to the San Francisco delegation.

By Mr. Searls: Senate Bill No. 646—An Act to create a commission to examine and report the condition of certain funds.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

Ordered to the Assembly without engrossment.

By Mr. Flint: Senate Bill No. 647—An Act granting additional powers to the Board of Supervisors of the County of Santa Cruz.

Read first and second times, and, by unanimous consent, read third time and passed.

Ordered to the Assembly without engrossment.

By Mr. Pierson: Senate Bill No. 648—An Act to amend sections five hundred and forty and six hundred and eighty-nine of the Code of Civil Procedure.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Howe: Senate Bill No. 649—An Act to repeal an Act entitled an Act to open, establish, grade, and macadamize a public street in the City and County of San Francisco, known and to be called Fifteenth Avenue Extension, and to take private lands therefor, and to

build and construct a bridge over and across Islais Creek, in said city and county, approved April third, eighteen hundred and seventy-six.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Flint: Senate Bill No. 650—An Act to authorize the Board of Supervisors of Monterey County to construct and build a bridge across the Salinas River.

Read first and second times, and referred to the Committee on Corporations, with instructions to report on Monday next.

By Mr. Flint: Senate Bill No. 651—An Act to authorize the County Clerk of Santa Cruz County to appoint a Deputy, and fixing his salary.

Read first and second times, and ordered on the general file.

By Mr. McGarvey: Senate Bill No. 652—An Act to amend section one thousand one hundred and eighty-three of the Code of Civil Procedure.

Read first and second times, and, by unanimous consent, read third time, and passed.

Ordered to the Assembly without engrossment.

By Mr. Evans: Senate Bill No. 653—An Act for the relief of indigent soldiers and sailors, veterans of the Mexican war, and their widows, in this State.

Read first and second times, and referred to the Committee on Claims.

Mr. Denovan, for the San Francisco delegation, verbally reported, recommending its passage, Senate Bill No. 657—An Act to declare the House of Correction of the City and County of San Francisco a Branch County Jail, and giving the management thereof to the Sheriff of said city and county.

[Mr. Rogers in the chair.]

GENERAL FILE.

Senate Bill No. 415—An Act relative to the Attorney-General and District Attorneys.

Amended.

On a motion to suspend the rules, to consider the bill engrossed, the ayes and noes were demanded by the requisite number, and the Senate refused by a vote, as follows, it requiring a two-thirds vote:

AYES—Messrs. Brown, Johnson, Evans, Fowler, Goodwin, Raymond, Hall, Howe, McGarvey, Montgomery, Murray, and South Coast, Parsons, and Rogers—14.

NOES—Messrs. Bondell, Bryant, Evans, of Anaheim, Johnston, Flint, Gwin, Hildner, Lewis, Montgomery, Numan, Ream, and South—14.

On the engrossment of the bill, the ayes and noes were demanded by the requisite number, and it was engrossed by a vote, as follows:

AYES—Messrs. Brown, Brown, of Anaheim, Curtis, Denovan, Evans, Flint, Fowler, Goodwin, Gwin, Hildner, Hall, Howe, Montgomery, Murray, and South Coast, Parsons, and Rogers—20.

NOES—Messrs. Bondell, Bryant, Johnston, Ketchum, Lewis, McGarvey, Montgomery, Numan, Ream, and South—10.

RECESS.

At one o'clock P. M., on motion of Mr. Fowler, the Senate took a recess for half an hour.

RE-ASSEMBLED.

At one o'clock and thirty minutes P. M., the Senate re-assembled. President in the chair.

The roll was called, and the following Senators answered to their names :

Messrs. Beazell, Boyston, Curtis, Evans, Flint, Goodwin, Hilborn, Hill, Lambert, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Pier-son, Ream, Rogers, Searls, Shirley, and Smith.

Mr. Coleman was granted leave of absence for one day, and Mr. Whitney indefinite leave, on account of sickness in his family.

Mr. Rogers, for the San Mateo delegation, verbally reported, recommending the passage of the following bills, transmitted to the Senate by Assembly message to-day, and referred :

Assembly Bill No. 788.

Assembly Bill No. 790.

Assembly Bill No. 791.

Rules suspended, and the bills taken up, and, by unanimous consent, each read third time, and passed.

On motion of Mr. Hill, the rules were suspended, and Assembly Bill No. 543 taken from the general file and re-referred to the Committee on Agriculture.

On motion of Mr. Smith, Senate Bill No. 602 was referred to the Committee on Agriculture.

Mr. Ream submitted a report, as follows :

SENATE CHAMBER,
SACRAMENTO, March 23d, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Joint Resolution No. 45—Relative to Yosemite Valley.

Also, Senate Joint Resolution No. 46—Relative to the establishment of a daily mail service from Kingsbury, in Fresno County, to Grangeville, in Tulare County.

Also, Senate Joint Resolution No. 47—Relative to the establishment of a mail route from Visalia to Fairview, in Tulare County.

Also, Senate Joint Resolution No. 48—Relative to an increase of mail service from Redding, in Shasta County, to Alturas, in Modoc County.

D. REAM, for Committee.

The following bills were taken up from the general file, under a suspension of the rules.

On motion of Mr. Smith, Senate Bill No. 586—An Act to authorize the Council of the City of Los Angeles to audit and pay to John S. Griffen the amount of a warrant heretofore drawn in his favor.

Rules suspended, considered engrossed, read third time, and passed. Ordered to the Assembly without engrossment.

On motion of Mr. Searls, Senate Bill No. 616—An Act to encourage irrigation in Sierra Valley.

Rules suspended, considered engrossed, read third time, and passed.

Ordered to the Assembly without engrossment.

By general consent, Mr. Craig, the author of the bill, withdrew Senate Bill No. 537.

SPECIAL ORDER.

Senate Bill No. 518—An Act to amend the Political Code of the State of California, by adding a new section thereto, was now taken up.

Mr. Lambert, the author of the bill, asked and obtained permission to withdraw the bill from the further consideration of the Senate.

GENERAL FILE RESUMED.

Substitute for Assembly Bill No. 173—An Act for the incorporation of Mutual Fire Insurance Companies, and defining their powers and duties.

Amendments concurred in.

Read third time, and passed.

Assembly Bill No. 375—An Act to add a new section to the Civil Code, relating to corporations.

Amended.

Read third time, and passed.

[Mr. Evans in the chair.]

Assembly Bill No. 417—An Act giving lien to loggers and laborers employed in logging camps upon logs cut and hauled by the person who employs them.

Amended.

Read third time.

On the passage of the bill, the ayes and noes were demanded by the requisite number, and it passed by a vote, as follows:

AYES—Messrs. Bones, Brown of El Dorado, Craig, Donovan, Flint, Fowler, Haymond, Hilborn, Howe, McCarthy, McCoppin, Montgomery, Murphy of Santa Clara, Nunan, Ream, and Rogers—16.

NOES—Messrs. Boyston, Brown of Amador, Curtis, Dean, Evans, Goodwin, Gwin, Hill, Lambert, Lewis, Satterwhite, Searls, and Smith—13.

Mr. Brown of El Dorado gave notice of a motion to reconsider the vote by which the bill passed.

Mr. McCarthy submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, March 23d, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 565—An Act for the relief of bondsmen herein named.

Senate Bill No. 564—An Act to authorize the Board of Trustees of Scott's Valley School District, in the County of Siskiyou, to borrow money for the purposes of erecting a school house, furnishing the same, and improving the grounds upon which the same may be located.

Senate Bill No. 352—An Act amendatory of and supplementary to an Act entitled an Act to authorize the County Judge of Tehama County to distribute town lots held by him in trust for the citizens of the Town of Red Bluff, and to issue certificates of title to the inhabitants of said town in accordance with their respective interests, approved March sixth, eighteen hundred and sixty-eight.

Senate Bill No. 376—An Act for the relief of J. F. Dillon, Assessor of Inyo County.

Senate Bill No. 480—An Act to regulate the traveling fees of the Sheriffs of the Counties of Kern and Tulare, and to repeal certain Acts therein mentioned.

Senate Bill No. 434—An Act to establish a Board of Health for the County of Tulare.

Senate Bill No. 457—An Act to amend an Act to establish a Board of Commissioners for the former Pueblo or City of Sonoma, and other matters relating thereto, to define the powers and duties of said Commissioners, approved April thirtieth, eighteen hundred and seventy-six.

Senate Bill No. 364—An Act to provide compensation for the Township Assessor of the Township of Oakland, County of Alameda.

Senate Bill No. 345—An Act to repeal an Act entitled an Act to protect agriculture in the County of El Dorado, approved March twentieth, eighteen hundred and seventy-six.

Substitute for Senate Bill No. 70—An Act to authorize the settlement of certain taxes due on certain portions of the Lick estate, and to cancel the liens against the same.

Senate Bill No. 509—An Act to amend an Act entitled an Act to authorize the City of Oakland to construct a main sewer.

Senate Bill No. 219—An Act to provide a new Great Register for the County of Yolo, and to re-register the voters thereof.

Senate Bill No. 14—An Act to regulate the salaries and fix the compensation of certain county officers in the County of Nevada.

Senate Bill No. 573—An Act relative to highways in Los Angeles County.

Substitute for Senate Bill No. 8—An Act for the relief of Otto Kloppenberg.

And, this day, at two o'clock and forty-five minutes P. M., presented the same to the Governor.

McCARTHY, Chairman.

Mr. Rogers submitted the following:

MR. PRESIDENT: The Committee on Contingent Expenses have examined the following bills, found them correct, and recommend they be paid out of the Contingent Fund of the Senate:

Terry McMorry, sundries.....	\$34 25
Jacob Hoehn, ice.....	66 20

Resolved, That the sum of thirty-four dollars and twenty-five cents be paid Terry McMorry, and the sum of sixty-six dollars and twenty cents be paid Jacob Hoehn, out of the appropriation for the contingent expenses of the Senate.

Adopted.

Mr. Hill, for the Committee on Agriculture, verbally reported Assembly Bill No. 543—An Act to amend an Act entitled an Act to provide for constructing division fences, approved March ninth, eighteen hundred and seventy-six—recommending passage.

GENERAL FILE RESUMED.

Assembly Bill No. 353—An Act to protect stockholders and persons dealing with corporations in this State.

Amended.

Read third time, and passed.

Mr. B. D. Murphy gave notice of motion to reconsider the vote by which the bill passed.

Senate Bill No. 541—An Act for the relief of the purchasers of State lands.

Amendments concurred in.

Rules suspended, considered engrossed, read third time, and passed.

Mr. Haymond gave notice of a motion to reconsider the vote by which the bill passed.

ADJOURNMENT.

At three o'clock and fifteen minutes P. M., on motion of Mr. Lewis, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

MONDAY, March 25th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, and Smith.

Quorum present.

Mr. Lambert stated that the recommendation, in his verbal report, as to Senate Joint Resolution No. 15, on Saturday, was against the passage.

The correction was made.

The Journal of Saturday last approved without reading.

PETITIONS.

Petitions were presented, as follows:

By Mr. Howe—A memorial and report of the San Francisco Lying-in Hospital and Foundling Asylum.

Received, and referred to the Committee on Finance.

By Mr. Smith—From citizens of the southern portion of the State, relative to a Bureau of Immigration in that portion of the State, asking an appropriation therefor.

Received, and referred to the Committee on Finance.

REPORTS.

Reports were submitted, as follows:

By Mr. Searls:

MR. PRESIDENT: The Committee on Corporations have had under consideration Senate Bill No. 650—An Act to authorize the Board of Supervisors of Monterey County to construct and build a bridge across the Salinas River, and report the same back with amendments, and recommend the adoption of the amendments, and the passage of the bill as amended.

NILES SEARLS, Chairman.

Rules suspended, and the bill taken up.

Amendments concurred in.

Considered engrossed, read third time, and passed.

By Mr. Fowler:

MR. PRESIDENT: Your Committee on Internal Improvements report Senate Bill No. 27, as amended, and recommend the passage as amended.

THOMAS FOWLER.

By Mr. Boyston:

SENATE CHAMBER,
SACRAMENTO, March 25th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 384—An Act for the relief of John Q. Hendricks, Charles Carroll, and R. D. Hubbard.

Also, Senate Bill No. 510—An Act to provide for the opening of streets in the City of Oakland.

And, this day, at eleven o'clock A. M., presented the same to the Governor.

JOHN S. BOYSTON, for Committee.

Mr. McCoppin, for the Committee on Claims, verbally reported a resolution, as follows:

Resolved, That T. P. Bell, employed by the Sergeant-at-Arms in stamping, wrapping, and sending away the reports upon Chinese Immigration, be allowed four dollars per day, from the twenty-fifth day of January to the twenty-fifth day of March, the same to be paid out of the appropriation for the contingent expenses of the Senate.

Rules suspended, and the resolution adopted.

By Mr. Pierson:

MR. PRESIDENT: The Judiciary Committee, to whom was referred Senate Bill No. 221—An Act for the protection of children, and to prevent and punish certain wrongs to children—have had the same under consideration, and report it back, with the recommendation that it do pass.

Also, Senate Bill No. 222—An Act relating to children—report the same back, and recommend its passage.

Also, Assembly Bill No. 146—An Act to amend the Political Code of this State—report the same back with an amendment, and recommend that it be referred to the delegation.

Also, Senate Bill No. 266—An Act to amend section one thousand two hundred and seventy of the Civil Code, in relation to wills—report the same back, without recommendation.

WM. M. PIERSON, Chairman pro tem.

On motion of Mr. Haymond, Senate Bill No. 266, above reported, was taken up, and made a special order for Friday next, at one o'clock P. M.

Senate Bills Nos. 121 and 122, above reported.

Rules suspended, and the bills taken up for consideration.

Each bill considered engrossed, read third time, and passed.

And the bills ordered to the Assembly without engrossment.

Assembly Bill No. 752, above reported.

Referred to the Fresno delegation.

By Mr. Ream:

SENATE CHAMBER,
SACRAMENTO, March 25th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 536—An Act to provide for the refunding of the funded debt of Siskiyou County, California.

Also, Senate Bill No. 517—An Act to provide for the opening of new streets, and for extending and widening of existing streets, in the City of San José.

Also, Senate Bill No. 455—An Act creating the Twenty-third Judicial District, and defining the Third and Twelfth Districts.

D. REAM, for the Committee.

Mr. Nunan, for the delegation, verbally reported, recommending its passage, Assembly Bill No. 261—An Act to ratify and confirm resolution number eleven thousand nine hundred (new series) of the Board of Supervisors of the City and County of San Francisco.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

Mr. Fowler, for the delegation, verbally reported, recommending its passage, Assembly Bill No. 768—An Act to attach a portion of King's River Switch School District, in Tulare County, to Kingsburg District, in Fresno County.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

Mr. Murphy of San Luis Obispo, for the delegation, verbally reported, recommending that it do not pass, Assembly Bill No. 731—An Act supplemental to an Act fixing the salaries and compensation of certain officers of San Luis Obispo County, approved March thirty-first, eighteen hundred and seventy-six.

Rules suspended, the bill taken up, and indefinitely postponed.

Also, Assembly Bill No. 732, recommending passage—An Act amendatory of and supplemental to an Act entitled an Act to authorize the Board of Trustees of Mission School District, in the County of San Luis Obispo, to borrow money for certain purposes, and provide for the payment of the same, approved March twenty-eighth, eighteen hundred and seventy-six.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

Also, recommending its passage. Assembly Bill No. 763—An Act in relation to the roads and streets within the City of San Luis Obispo.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

Also, recommending its passage. Assembly Bill No. 730—An Act in relation to the fees to be received by the County Recorder of San Luis Obispo.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

By Mr. Flint:

MR. PRESIDENT: The Monetary delegation, to whom was referred Assembly Bill No. 977—has had the same under consideration, and asks leave to report it back with sundry amendments, and recommend its passage as amended.

FLINT, for Delegation.

Rules suspended, and the bill taken up.

Amendments concurred in.

Read third time, and passed.

GOVERNOR'S MESSAGE.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT.
SACRAMENTO, MARCH 23d, 1878.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bills Nos. 28—An Act to amend section two hundred and ninety-nine of the Civil Code.

No. 29—An Act to amend section one thousand five hundred and seventy-six of the Political Code.

No. 300—An Act to provide for the appointment of a Reporter of the decisions of the Supreme Court.

No. 377—An Act to confirm the title to certain property on the water front, in the City and County of San Francisco.

No. 381—An Act to authorize the issuance of bonds for the payment of damages for the widening and extension of Los Angeles Street, in the City of Los Angeles.

No. 388—An Act to provide for the building of a school house in Anaheim School District, in the County of Los Angeles, State of California.

No. 474—An Act to provide for the removal of an Assessor, City Marshal, and a Treasurer for the City of Berkeley, and to provide the proper cause, to grant further powers to the Trustees of said city.

No. 475—An Act to amend an Act entitled an Act to re-incorporate the City of Vallejo, approved March twenty-seventh, eighteen hundred and seventy-two, and supplemental thereto.

WILLIAM IRWIN, Governor.

ASSEMBLY MESSAGE.

The following message was received from the Assembly:

ASSEMBLY CHAMBER.
SACRAMENTO, March 23d, 1878.

MR. PRESIDENT: I have the honor to inform your honorable body that the Assembly, on the thirteenth instant day of March, A. D., 1878, has passed and approved Assembly Bill No. 767—An Act concerning roads and highways in the County of Humboldt.

Assembly Bill No. 808—An Act to provide for the payment of damages in the appropriation of land for granting and holding lands to the State of the United States, for the twenty-fourth and forty-fifth fiscal years.

Assembly Bill No. 723—An Act to confer further powers on the Board of Supervisors of the City and County of San Francisco.

Senate Bill No. 622—An Act to create a new township in Calaveras County.

Also, refused to recede from its amendments to Senate Bill No. 200, and ordered a Committee of Free Conference, and the Speaker appointed Messrs. Broderick, Coffey, and May as such committee.

And, also, that the Speaker appointed as a Committee of Free Conference on Assembly Bill No. 433, Messrs. Murphy of Del Norte, Tuttle, and Farnum.

And, on this day, adopted Assembly Concurrent Resolution No. 70—Relative to Assembly Bill No. 437.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Concurrent Resolution No. 70, above reported, was concurred in.

Assembly Bills Nos. 797 and 723, above reported.

Read first and second times, and referred to the delegations named in the bills.

Assembly Bill No. 568, above reported.

Read first and second times, and referred to the Committee on Finance and Claims.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows:

By Mr. Haymond: Senate Bill No. 654—An Act for the relief of John Johnson.

Read first and second times, and referred to the Committee on Finance and Claims.

By Mr. Satterwhite: Senate Bill No. 655—An Act to amend an Act entitled an Act to regulate fees of office and salaries of officers in the County of San Diego, approved March thirty-first, eighteen hundred and seventy-six.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

Ordered to the Assembly without engrossment.

By Mr. Montgomery: Senate Bill No. 656—An Act to amend an Act entitled an Act to fix the terms of the County Court and Probate Court in the County of Merced, approved March eleventh, eighteen hundred and seventy-six.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

Ordered transmitted to the Assembly without engrossment.

By Mr. McCoppin: Senate Bill No. 657—An Act to reduce the cost of water to the consumers thereof, in the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

The following bills were taken from the general file for consideration, under a suspension of the rules:

On motion of Mr. Donovan: Senate Bill No. 574—An Act to amend section six hundred and twenty-eight of the Civil Code.

Amendments concurred in.

Mr. F. M. Brown offered an amendment, as follows:

Amend by adding, at the end of this bill: "Provided, that all gas mains and distributing pipes laid in any streets, under this Act,

shall be laid under the sidewalks or curbs of said streets, and in such a manner as not to disturb the paved portion of said streets."

Lost.

On a motion to suspend the rules, to consider the bill engrossed, the ayes and noes were demanded by Messrs. B. D. Murphy, Craig, and Donovan, and the motion prevailed by a vote, as follows:

AYES—Messrs. Beazell, Bones, Boyston, Brown of Amador, Coleman, Craig, Crane, Donovan, Evans, Flint, Goodwin, Haymond, Hill, Howe, Lambert, Montgomery, Murphy of San Francisco, Pierson, Ream, Searls, and Shirley—21.

NOES—Messrs. Brown of El Dorado, Curtis, Fowler, McCarthy, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Rogers, and Satterwhite—9.

When the bill was read third time, and passed.

Mr. B. D. Murphy gave notice of a motion to reconsider the vote by which the bill passed.

On motion of Mr. McCoppin, Assembly Bill No. 352—An Act to prohibit and punish the sale of adulterated syrup.

Read third time, and passed.

On motion of Mr. Searls, substitute for Assembly Bill No. 289, and Senate Bill No. 458, were made a special order for Thursday next, after the reading of the Journal.

MOTIONS AND RESOLUTIONS.

Mr. McCoppin offered a resolution, as follows:

Resolved by the Senate, the Assembly concurring, That the Engrossing Clerk of the Senate be and is hereby authorized to insert in Senate Bill No. 535, after the word "cents," in sixth line of subdivision one, the words "section two."

Adopted.

By Mr. Fowler:

Resolved, That the Engrossing Clerk be instructed to strike out section three thousand four hundred and seventy-one in the title of Senate Bill No. 515, to make the same correspond to amendments to the bill.

Adopted.

On motion of Mr. Lewis, the rules were suspended, and Senate Bill No. 455 ordered enrolled out of its order.

By Mr. Searls:

Resolved, That all bills reported by committees be placed on the file in the order reported, and without reference to character of recommendation; and that the resolution heretofore adopted, prescribing a different order, be and the same is hereby rescinded.

Laid over for one day.

By Mr. B. D. Murphy:

Resolved, That the Assembly be requested to return to the Senate Senate Bill No. 292—An Act to amend section three hundred and twenty-five of the Code of Civil Procedure—said bill having been transmitted to the Assembly by a mistake.

Adopted.

REPORTS.

By Mr. McCarthy:

SENATE CHAMBER,
SACRAMENTO, March 25th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 535—An Act to confer additional powers upon the Board of Supervisors of the

City and County of San Francisco, and upon the Auditor, and Treasurer, and to authorize certain appropriations of money by said Board, to pay certain deficiencies in the General Fund of said city and county.

Senate Bill No. 536—An Act to provide for the refunding of the funded debt of Siskiyou County, California.

Senate Bill No. 517—An Act to provide for the opening of new streets, and for the extending and widening of existing streets, in the City of San José.

Senate Joint Resolution No. 48—Relative to an increase of mail service from Redding, in Shasta County, to Alturas, in Modoc County.

Senate Concurrent Resolution No. 45—Relative to Yosemite Valley.

Senate Joint Resolution No. 47—Relative to the establishment of a mail route from Visalia to Fairview, in Tulare County.

Senate Joint Resolution No. 46—Relative to the establishment of a daily mail service from Kingsburg, in Fresno County, to Grangeville, in Tulare County.

Senate Bill No. 575—An Act to regulate the fees of Constables in the County of Calaveras.

Senate Bill No. 590—An Act to authorize the Board of Supervisors of Amador County to levy a special tax, for bridge purposes, in Township Number One.

Senate Bill No. 567—An Act to amend an Act entitled an Act to re-incorporate the City of Marysville, approved March seventh, eighteen hundred and seventy-six.

Substitute for Senate Bill No. 365—An Act to provide for the payment of certain outstanding bonds of the County of Alameda.

Senate Bill No. 516—An Act to amend an Act entitled an Act concerning county officers in Yolo County, and to regulate the fees and salaries thereof, approved March eighteenth, eighteen hundred and seventy-four.

Senate Bill No. 452—An Act to ratify and confirm certain proceedings of the Board of Supervisors of the County of Tehama, about the construction of a bridge across the Sacramento River.

And this day, at twelve o'clock M., presented the same to the Governor.

McCARTHY, Chairman.

By Mr. F. M. Brown:

MR. PRESIDENT: The Amador delegation has had under consideration Assembly Bill No. 742—reports it back, and recommends that it do pass.

F. M. BROWN.

Rules suspended, and the bill taken up.

Read third time, and passed.

Mr. Hill, for the Committee on Agriculture, verbally reported Assembly Bill No. 812—recommending its reference to the Los Angeles delegation.

So referred.

By Mr. Searls:

MR. PRESIDENT: The Committee on Corporations have had under consideration Assembly Bill No. 600—An Act to protect stockholders in corporations in this State by stopping their officers from depositing the corporation funds in bank to their individual credit—and report the same back, with the recommendation that it do not pass.

Also, Senate Bill No. 608—An Act to amend section one thousand nine hundred and nineteen of the Civil Code—and report the same back, with a majority recommendation that it do not pass.

Also, Assembly Bill No. 374—An Act to prevent extortion, by gas companies, in the State of California—and report the same back as amended, and a majority recommend the passage of the bill as amended.

Also, Senate Bill No. 576—An Act to amend section four hundred and ninety-eight of the Civil Code, relative to street railroad corporations—report the same back as amended, and recommend its passage.

NILES SEARLS, Chairman.

Mr. Flint, for the delegation, verbally reported, recommending passage as amended, Assembly Bill No. 740—An Act entitled an Act to provide sewerage for the City of Santa Cruz.

Rules suspended, and the bill taken up.

Amendments adopted.

Read third time, and passed.

RECESS.

At twelve o'clock and thirty minutes P. M., on motion of Mr. Lambert, the Senate took a recess for thirty minutes.

RE-ASSEMBLED.

At one o'clock P. M., the Senate re-assembled.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boring, Brown of Amador, Brown of El Dorado, Coleman, Crane, Curtis, Dean, Evans, Flint, Fowler, Goodwin, Halborn, Hall, Howe, Lewis, McCarthy, McOppin, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Nunan, Ream, Rogers, Satterwhite, Searls, Smith, and Whitney.

Quorum present.

The special orders, set for consideration after the reading of the Journal, and which, by general consent, were postponed, were now taken up.

Senate Bill No. 358—An Act in relation to railroads.

Senate Bill No. 359—An Act amendatory of and supplementary to an Act entitled an Act to provide for the appointment of Commissioners of Transportation, to fix the maximum charges for freights and fares, and to prevent extortion and discrimination of railroads in this State, approved April third, eighteen hundred and seventy-six.

Senate Bill No. 360—An Act for the prevention of unjust discrimination, and for the regulation of freights and fares on railroads in this State.

Assembly Bill No. 541—An Act to create the office of Commissioner of Transportation, and to define its powers and duties; to fix the maximum charges for transporting passengers and freights on certain railroads, and to prevent extortion and unjust discrimination thereon.

Mr. Lewis moved that, in considering the bills, the rule limiting speaking to five minutes should be abrogated, except as to action on amendments to the bill.

On which the ayes and noes were demanded by the requisite number, and the motion prevailed by a vote, as follows:

AYES—Messrs. Beazell, Bones, Boring, Brown of El Dorado, Crane, Curtis, Evans, Fowler, Haymesel, Halborn, Hall, Howe, Lambert, Lewis, McOppin, Montgomery, Murphy of Santa Clara, Ream, Rogers, Satterwhite, Searls, and Smith—22.

NOES—Messrs. Brown of Amador, Dean, Gwin, Murphy of San Francisco, and Nunan—5.

Assembly Bill No. 541.

Amendments proposed by the Committee on Corporations, except the amendments striking out section sixteen, chapter one, and the latter part of amendment to section seven, in chapter two, which read as follows:

Amend section sixteen, of chapter one, by striking out the section, and inserting in lieu thereof the following: "It shall be the duty of the Commissioner to examine into all complaints made in writing, as to unjust discrimination between persons and places, and to endeavor, by amicable interposition, to bring about such changes in

tariff or rules as shall, in his judgment, promote the public interest; and shall report all such cases, with the results of his investigation and interposition, to the Governor."

Amendment to section seven, in chapter two: Amend same section and chapter by striking out all after the word "completed," in lines fifteen and sixteen.

On concurring in the amendments, the ayes and noes were demanded by Messrs. Smith, Satterwhite, and Hilborn, and they were concurred in by a vote, as follows:

AYES—Messrs. Bones, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Donovan, Evans, Flint, Goodwin, Haymond, Hilborn, Lewis, McCoppin, Murphy of San Francisco, Pierson, Rogers, Searls, and Shirley—20.

NOES—Messrs. Boring, Curtis, Dean, Fowler, Howe, Montgomery, Murphy of Santa Clara, Nunan, Ream, Satterwhite, and Smith—11.

Pending consideration of the bill, Mr. Ream submitted the following report:

SENATE CHAMBER,

SACRAMENTO, March 25th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 581—An Act to revise an Act entitled an Act to revise an Act to amend the charter of the City of Los Angeles, to define its limits and rights, to enlarge its powers, and provide for its more efficient government, approved April first, eighteen hundred and seventy-six.

Also, Senate Bill No. 488—An Act to amend an Act entitled an Act concerning roads and highways in Contra Costa County, approved March eleventh, eighteen hundred and seventy-six. Also, Senate Bill No. 559—An Act to provide for the care and maintenance of the indigent sick of Tuolumne County.

Also, Senate Bill No. 478—An Act to provide funds for the school department of the Town of Alameda.

Also, substitute for Senate Bill No. 365—An Act to provide for the payment of certain outstanding bonds of the County of Alameda.

Also, Senate Bill No. 452—An Act to ratify and confirm certain proceedings of the Board of Supervisors of the County of Tehama, in and about the construction of a bridge across the Sacramento River.

Also, Senate Bill No. 516—An Act to amend an Act entitled an Act concerning county officers in Yolo County, and to regulate the fees and salaries thereof, approved March eighteenth, eighteen hundred and seventy-four.

Also, Senate Bill No. 567—An Act to amend an Act entitled an Act to re-incorporate the City of Marysville, approved March seventh, eighteen hundred and seventy-six.

Also, Senate Bill No. 575—An Act to regulate the fees of Constables in the County of Calaveras.

Also, Senate Bill No. 590—An Act to authorize the Board of Supervisors of Amador County to levy a special tax for bridge purposes in Township Number One.

Also, Senate Bill No. 636—An Act amendatory and supplementary to an Act entitled an Act to amend an Act entitled an Act authorizing certain parties to improve a portion of King's River, and to erect booms thereon, approved March eighteenth, eighteen hundred and seventy-two, approved March twenty-seventh, eighteen hundred and seventy-six.

Also, Senate Bill No. 515—An Act to amend sections three thousand four hundred and fifty-two, three thousand four hundred and fifty-three, three thousand four hundred and fifty-four, three thousand four hundred and fifty-five, three thousand four hundred and fifty-six, three thousand four hundred and fifty-nine, three thousand four hundred and sixty-one, three thousand four hundred and sixty-two, three thousand four hundred and sixty-six, and three thousand four hundred and eighty-one of the Political Code.

Also, Senate Bill No. 338—An Act to establish and open Montgomery Street South, in the City and County of San Francisco, and take private lands therefor.

D. REAM, for the Committee.

Mr. McCoppin offered a resolution, as follows:

Resolved, That his Excellency, the Governor, be and he is hereby requested to return Senate Bill No. 535 to the Enrolling Committee, for the purpose of correcting a clerical error.

Adopted.

Consideration of Assembly Bill No. 541 resumed.

Mr. Fowler offered an amendment, as follows: Amend by striking out all of section six, chapter two.

On the adoption of the amendment, the ayes and noes were demanded by Messrs. Fowler, Craig, and Howe, and the Senate refused to adopt it by a vote, as follows:

AYES—Messrs. Boring, Craig, Curtis, Donovan, Fowler, Haymond, Howe, Lambert, Montgomery, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunau, Rogers, Satterwhite, and Smith—15.

NOES—Messrs. Beazell, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Crane, Gwin, Hilborn, Hill, Lewis, McCarthy, McCoppin, McGarvey, Murphy of San Francisco, Pierson, Ream, Searls, and Shirley—18.

Mr. Smith offered an amendment, as follows:

Amendment to section seven, chapter one, of Assembly Bill No. 541, in line seventeen of page four: Between words "or" and "in" insert "lawfully."

Lost.

Mr. B. D. Murphy moved to indefinitely postpone the bill, on which the ayes and noes were demanded by Messrs. Satterwhite, Lambert, and Craig, and the motion was lost by a vote, as follows:

AYES—Messrs. Boring, Curtis, Dean, Fowler, McCoppin, Montgomery, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Satterwhite, and Smith—11.

NOES—Messrs. Beazell, Bones, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Donovan, Evans, Flint, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McGarvey, Murphy of San Francisco, Pierson, Ream, Rogers, Searls, and Shirley—27.

Mr. Smith offered an amendment, as follows: Strike out section eight, chapter one, and insert the following:

Section 8. * * * * *

The amendment consisted of that part of Senate Bill No. 359, commencing at section seven, page three, and running through said bill to and including line four hundred and twenty-two, on page twenty.

Lost.

Mr. Smith offered the following amendment:

Amend section nine, chapter one, by inserting, at the end thereof, the following words: "A subpoena, requiring the attendance of any such person, and the production of any such books and papers, at a time and place therein expressed, may be issued by any District Court, on petition of such Commissioner, and obedience thereto enforced by such Court, as in cases of witnesses subpoenaed before it on the trial of an issue of fact. All questions, as to the competency of any question, or the privilege of any witness, shall be determined by the Court, on the proceedings to enforce obedience to the subpoena."

Lost.

Mr. Smith offered an amendment, as follows: Section twenty-two, chapter one. Insert at the end of chapter one the following section, viz.: "Section twenty-two. The accommodations for transportation over railroads in this State shall not be diminished in any respect, and every reduction in the classification of any goods or rates of transportation of persons or property, increase in frequency or speed of passenger trains or other improvement in the service of railroads, shall be permanently continued by the company making the same (and over the road on which the same is made), and shall not be revoked unless with the consent of the Commissioner of Transportation."

Lost.

Mr. Smith offered an amendment, as follows: Section twelve, chapter two. Add at the end of chapter two the following sections:

The amendment consisted of that portion of Senate Bill No. 360, commencing at section one, and running through the bill, and including section thirteen, which would read section twenty-four of the amendment.

On which the ayes and noes were demanded by Messrs. Smith, Satterwhite, and Lewis, and the amendment was rejected by a vote, as follows:

AYES—Messrs. Boring, Curtis, Dean, Fowler, Montgomery, Murphy of San Luis Obispo, Murphy of Santa Clara, Ream, Satterwhite, and Smith—10.

NOES—Messrs. Beazell, Bones, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Donovan, Evans, Flint, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Pierson, Rogers, Searls, and Shirley—26.

Mr. McGarvey moved to reconsider the vote rejecting the amendment previously offered by Mr. Fowler, to strike out section six, chapter two.

Lost.

Bill read third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Satterwhite, Smith, and Lewis, and it passed by a vote, as follows:

AYES—Messrs. Beazell, Bones, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Donovan, Evans, Flint, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Murphy of San Francisco, Pierson, Ream, Rogers, Searls, and Shirley—28.

NOES—Messrs. Boring, Curtis, Dean, Fowler, Montgomery, Murphy of San Luis Obispo, Murphy of Santa Clara, Satterwhite and Smith—9.

Mr. Fowler offered an amendment to the title, as follows: Amend title of Assembly Bill No. 541, by adopting the following:

“An Act for the better protection of railroad corporations.”

On the question of amending the title, the ayes and noes were demanded by Messrs. Fowler, Satterwhite, and Craig, and the Senate refused to amend by a vote, as follows:

AYES—Messrs. Boring, Curtis, Dean, Fowler, Montgomery, Murphy of San Luis Obispo, and Satterwhite—7.

NOES—Messrs. Beazell, Bones, Boyston, Brown of Amador, Brown of El Dorado, Craig, Crane, Donovan, Evans, Flint, Goodwin, Gwin, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Murphy of San Francisco, Pierson, Ream, Rogers, Searls, Shirley, and Smith—27.

Mr. Howe offered a resolution, as follows:

Resolved, That the Enrolling Clerk return to the Senate Senate Bill No. 412.

Adopted.

On motion of Mr. Flint, Senate Bill No. 650 was ordered to the Assembly without engrossment.

On motion of Mr. J. C. Murphy, Assembly Bill No. 649 was made a special order, immediately after the reading of the Journal, on to-morrow.

On motion of Mr. F. M. Brown, Senate Bill No. 389 was made the second special order, after reading the Journal to-morrow.

Senate Bills Nos. 358, 359, and 360, continued as special orders after reading of Journal to-morrow.

Mr. McCarthy submitted a report, as follows :

SENATE CHAMBER.

SACRAMENTO, March 25th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 48—An Act to provide for the recovery of double taxation on the outside lands of the City and County of San Francisco.

Senate Bill No. 108—An Act to amend section forty of the Civil Code.

Senate Bill No. 280—An Act to confer additional powers upon, and to authorize certain appropriations of money by, the Board of Supervisors of the City and County of San Francisco.

Senate Bill No. 456—An Act to authorize the City of San José to issue bonds to provide sewerage for said city.

Senate Bill No. 455—An Act creating the Twenty-third Judicial District, and defining the Third and Twelfth Districts.

Senate Bill No. 262—An Act to authorize the Board of Supervisors of the City and County of San Francisco to audit and pay a certain claim.

Senate Bill No. 369—An Act for the protection of the public roads on Sherman Island.

Senate Joint Resolution No. 42—Relating to the office of United States Surveyor-General for California.

Senate Bill No. 464—An Act to authorize the Board of Supervisors of the City and County of San Francisco to order Bay Street graded, and to change its grade.

And, this day, at one o'clock and thirty minutes, P. M., presented the same to the Governor.

McCARTHY, Chairman.

ADJOURNMENT.

At five o'clock and thirty minutes P. M., on motion of Mr. Lewis, the Senate adjourned.

IN SENATE.

SENATE CHAMBER.

TUESDAY, March 26th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Benzell, Bones, Boring, Boynton, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McQueen, McCarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Numan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

The Journal of yesterday was read and approved.

The special orders, set for consideration immediately after reading of Journal, were postponed until after passing the order of business.

REPORTS.

Reports were submitted, as follows:

By Mr. McCoppin:

MR. PRESIDENT: The Committee on Finance and Claims, to whom was referred Assembly Bill No. 46—An Act to amend certain sections of the Political Code, to repeal certain other sections, and to add new sections thereto—have had the same under consideration, report it back, with the recommendation that it pass.

Also, Assembly Bill No. 568—An Act to provide for the payment of deficiencies in the appropriation for pay for procuring and listing lands to the State, by the United States, for the twenty-fourth and twenty-fifth fiscal years—and report it back, and recommend its passage.

Also, Assembly Bill No. 764—An Act making appropriations for the support of the Government of the State of California, for the thirtieth and thirty-first fiscal years—report the same back with amendments, and recommend its passage as amended.

MCCOPPIN, Chairman of Committee.

Rules suspended, and Assembly Bill No. 764 taken up, and made a special order, immediately after other special orders, for this morning.

By Mr. Searls:

MR. PRESIDENT: The Committee on Corporations have had under consideration Assembly Bill No. 486—An Act concerning gas companies—and report the same back, with the recommendation that it do not pass.

NILES SEARLS, Chairman.

By Mr. Rogers:

MR. PRESIDENT: The Committee on Contingent Expenses recommend that Mrs. Owens be paid the sum of thirty dollars out of the Contingent Fund of the Senate, for washing towels (the present session), used by members, officers, clerks, and attachés of the Senate.

Adopted.

By Mr. Howe:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 606—An Act to authorize William Hook and his associates and assigns to construct a canal, for shipping purposes, in Contra Costa County—have had the same under consideration, report it back, and recommend its passage.

Also, Assembly Bill No. 567—and move its reference to the delegation from Humboldt County.

HOWE, Chairman.

Rules suspended, and the bills, above reported, taken up.

Senate Bill No. 606.

Rules suspended, considered engrossed, read third time, and passed.

Assembly Bill No. 567 was referred to the Humboldt County delegation.

By Mr. McGarvey:

MR. PRESIDENT: The Judiciary Committee, to whom was referred Assembly Bill No. 30—An Act to add another section to the Penal Code (Chapter Two, Title Nine, Part One), to prevent opium smoking—have had the same under consideration, and report it back without recommendation.

MCGARVEY, Chairman.

By Mr. Shirley:

MR. PRESIDENT: Your Committee on State Prison would most respectfully beg leave to submit the following report.

PAUL SHIRLEY, Chairman.

The request of the State Prison Committee was ordered printed.
(For report, see Senate appendix.)

By Mr. Nunan:

MR. PRESIDENT: The San Francisco delegation, to whom was referred Senate Bill No. 524—An Act to change the grade of Silver Street—have had the same under consideration, report it back, and recommend that it do not pass.

Also, Senate Bill No. 604—Relative to ascertaining the amount of money that ought justly to be paid, as the actual cost and expense of grading Market Street, from Valencia to Seventeenth Street—report it back, and recommend passage of substitute.

Also, Senate Bill No. 611—An Act to grant the right of way for a railroad track within the limits of the City and County of San Francisco—report it back, and recommend its passage as amended.

Also, Assembly Bill No. 545—Relative to the opening of Valencia Street—report the same back, and recommend its passage.

Also, Assembly Bill No. 321—An Act concerning certain property within the City and County of San Francisco—report the same back, and a majority recommend its passage.

Also, Assembly Bill No. 723—An Act to confer further powers upon the Board of Supervisors—report the same back, and a majority recommend its passage.

Also, Senate Bill No. 644—An Act to confirm certain Acts of the committee appointed under order number seven hundred and thirty-three of the Board of Supervisors—report it back, and recommend its passage.

NUNAN, Chairman.

By Mr. Whitney:

MR. PRESIDENT: The Sonoma delegation, to whom was referred Assembly Substitute for Assembly Bill No. 477—An Act to reestablish Court house School District, in the City of Santa Rosa—have had the same under consideration, herewith report the same back, and recommend the passage of the substitute.

WHITNEY, for Delegation.

Rules suspended, and the bill taken up.

Substitute adopted.

Read third time, and passed.

Verbal reports were made from delegations, as follows:

By Mr. Curtis, Assembly Bill No. 558—An Act to provide for the payment of certain outstanding road warrants of Sacramento County, without recommendation.

By Mr. McGarvey, recommending its passage, Assembly Bill No. 750—An Act to improve the stream known as Mad River and its north fork, in Humboldt County, and to facilitate the driving of logs therein.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

Mr. Smith verbally reported, recommending its passage, Assembly Bill No. 812—An Act amendatory of an Act entitled an Act concerning trespassing of animals upon private lands in certain counties in the State of California, approved March seventh, eighteen hundred and seventy-eight.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

By Mr. Hill, recommending its passage, Assembly Bill No. 770—An Act supplemental and amendatory of an Act entitled an Act to incorporate the Town of St. Helena, approved March twenty-fourth, eighteen hundred and seventy-six.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

Also, Assembly Bill No. 198—An Act in relation to division fences in the County of Sonoma, and to the lines of counties bordering thereon, with amendments—recommending passage of the bill as amended.

Rules suspended, and the bill taken up.

Amendments adopted.

Read third time, and passed.

Mr. Pierson, for the Committee on Public Lands, recommending

reference of the bill to the Sacramento County delegation, Assembly Bill No. 296—An Act to create and organize Reclamation District Number Two Hundred and Five, and to define its boundaries and provide for its government.

So referred.

Mr. Gwin, for the Committee of Free Conference, submitted a report, as follows:

MR. PRESIDENT: Your Committee of Free Conference on Assembly Bill No. 433—An Act creating a Board of Bank Commissioners and prescribing their duties and powers—respectfully reports: That the joint committee of the Senate and Assembly has unanimously agreed upon the following amendments to the above bill, as amended and passed by the Senate. In printed bill, as amended by the Senate, amend section three, line one, by striking out the word "ninety" and inserting "sixty." Amend line three, same section, by striking out the words "or doing business," and in line four, of same section, insert, after the word "State," the words "or any other State or country and doing business in this State;" in line eight, same section, strike out the word "ninety" and insert "sixty."

Amend section four, line one, by inserting after the word "Commissioners," the words "as designated by the Commissioners." Amend line six, of same section, by striking out the words "or doing business in" and inserting, in same line and section, after the word "State," the words "or any other State or country and doing business in this State."

Amend section eight so as to read as follows: "Section eight. No savings bank shall receive the license in this Act provided for unless at least fifty per cent. of all its loans shall be secured by first mortgage or other prior lien upon real estate situate within this State: such loans, at the date when made, not to exceed sixty per cent. of the market value of the security, except when made for the purpose of facilitating the sale of property owned by the corporation. And it shall be unlawful for any savings and loan society, or savings bank, to purchase, invest, or loan its capital, or the money of its depositors, or any part of either, in mining shares or stocks. Any president or managing officer who knowingly consents to a violation of the above provision shall be deemed guilty of a felony."

Amend section sixteen, line one, by inserting before the word "expenses" the word "annual." And in line four, same section, strike out the words "annual expenses," and insert instead thereof the words "salaries and all other necessary expenses."

Your committee recommends the adoption of this report.

WM. M. GWIN, JR., }
NILES SEARLS. } Committee.
FRANK MCCOPPIN. }

The report was adopted.

GOVERNOR'S MESSAGES.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
SACRAMENTO, March 25th, 1878. }

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bills substitute for No. 70—An Act to authorize the settlement of certain taxes due on certain portions of the Lick estate, and to cancel the liens against the same.

No. 423—An Act relating to the Coroner of Santa Clara County.

No. 501—An Act to confer further powers upon the Board of New City Hall Commissioners for the City and County of San Francisco.

Substitute for No. 508—An Act to enable the City of Oakland to acquire and maintain public water-works.

No. 565—An Act for the relief of the bondsmen herein named.

WILLIAM IRWIN, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
SACRAMENTO, Cal., March 25th, 1878. }

To the Senate of the State of California:

In compliance with your resolution, I have the honor to return to your honorable body Senate Bill No. 535—for the purpose of correcting a clerical error therein.

WILLIAM IRWIN, Governor.

ASSEMBLY MESSAGES.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, March 25th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twenty-second day of March, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 784—An Act to amend section three thousand nine hundred and seventy-two of the Political Code.

Assembly Bill No. 755—An Act to amend an Act entitled an Act to provide for the protection of lands from overflow in the County of Yuba, approved March second, eighteen hundred and seventy-four.

Assembly Bill No. 821—An Act to define co-operative business corporations, and to provide for the organization and government thereof.

Assembly Bill No. 608—An Act for the protection of the rights of draymen and others in the City and County of San Francisco.

Assembly Bill No. 609—An Act in relation to public roads in the County of Sacramento.

To return Senate Bill No. 292—An Act to amend section three hundred and twenty-five of the Code of Civil Procedure, as requested by resolution.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 25th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, amended and passed substitute for Senate Bills Nos. 153, 156, 295, and section three of Senate Bill No. 155—An Act to amend the Political Code, in relation to insurance.

Senate Bill No. 154—An Act to amend the Civil Code, relative to insurance.

Senate Bill No. 155—An Act to amend the Civil Code, and repeal certain Acts relative to insurance.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 25th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, adopted the following resolution:

Resolved, That the Senate be requested to return to the Assembly Senate Bill No. 244—An Act to provide for the payment, by the State of California, of the costs of certain criminal cases.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 25th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twenty-third day of March, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 394—An Act to encourage the mining industries, and to suppress stock gambling.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 25th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twenty-second day of March, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 724—An Act to amend section three thousand eight hundred and sixty-two of the Political Code, relative to the collection of poll taxes.

And, on this day, passed Assembly Bill No. 315—An Act to amend an Act entitled an Act to establish a Political Code, in relation to elections.

Also, amended and passed Senate Bill No. 506—An Act to prohibit the destruction of fish in San Leandro Creek, in Alameda County.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 26th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twenty-fifth day of March, A. D. eighteen hundred and seventy-eight, passed Senate Bill No. 505—An Act to prevent the destruction of deer on Monte Diablo, in Contra Costa County.

Senate Bill No. 383—An Act to prevent the destruction of fish in King's River.

Senate Bill No. 532—An Act to amend section six hundred and forty-two of the Political Code—Respecting the duties of the Fish Commissioners.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 755, above reported.

Read first and second times.

Rules suspended, read third time, and passed.

Assembly Bill No. 724, above reported.

Read first and second times.

Rules suspended, read third time, and passed.

Assembly Bills Nos. 609 and 608, above reported.

Each read first and second times, and referred to the delegations named in the bills.

Assembly Bill No. 315, above reported.

Read first and second times, and referred to the Judiciary Committee.

Assembly Bills Nos. 394 and 821, above reported.

Each read first and second times, and referred to the Committee on Corporations.

Assembly Bill No. 784, above reported.

Read first and second times, and referred to the Sonoma delegation.

Substitute for Senate Bills Nos. 154, 155, and 153, etc., above reported.

Referred to the Judiciary Committee.

Senate Bill No. 506, above reported.

Assembly amendments concurred in.

On motion of Mr. Hilborn, Senate Bill No. 332, above reported, was ordered enrolled out of its order.

[Mr. J. C. Murphy in the chair.]

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows:

By Mr. Bones: Senate Bill No. 658—An Act to provide for the construction of a roadway on Bay Farm Island, in the Town of Alameda.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

Ordered to the Assembly without engrossment.

By Mr. Smith: Senate Bill No. 659—An Act to ratify certain contracts and ordinances of the Council of the City of Los Angeles.

Read first and second times, and referred to the delegation from Los Angeles County.

By Mr. Donovan: Senate Bill No. 660—An Act to add a new section to the Political Code, to be numbered section one thousand six hundred and eighteen.

Read first and second times, and referred to the Committee on Education.

By Mr. Haymond: Senate Bill No. 661—An Act relative to the Board of Supervisors of Sacramento County.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

Also, Senate Bill No. 662—An Act to authorize the managers of orphan asylums to give their consent to the adoption of certain children under their care.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

Each bill ordered to the Assembly without engrossment.

By Mr. Craig: Senate Bill No. 663—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Howe: Senate Bill No. 664—An Act concerning the macadamizing, etc., of Tyler Street, from Market Street to Devisadero Street, and to prohibit the laying down of railroad tracks thereon.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

Ordered to the Assembly without engrossment.

By Mr. Pierson: Senate Bill No. 665—An Act to amend section one thousand one hundred and sixty-one of the Code of Civil Procedure.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

Ordered to the Assembly without engrossment.

By Mr. Craig: Senate Bill No. 666—An Act to provide for the erection and maintenance of a State Hospital, to be situated in the City and County of San Francisco.

Read first and second times, and referred to the Hospital Committee.

By Mr. B. D. Murphy: Senate Bill No. 667—An Act to authorize the Board of Supervisors of Santa Clara County to audit and pay certain claims.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

On motion of Mr. B. D. Murphy, the rules were suspended, and Senate Bill No. 292 taken up from the general file.

Senate Bill No. 292—An Act to amend section three hundred and twenty-five of the Code of Civil Procedure.

Amendments concurred in.

On a motion of Mr. B. D. Murphy to suspend the rules, to place the bill on its final passage, the ayes and noes were demanded by the requisite number, and the motion prevailed by a vote, as follows:

AYES—Messrs. Beazell, Bones, Boring, Boyston, Brown of El Dorado, Coleman, Craig, Crane, Donovan, Evans, Flint, Fowler, Goodwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Ream, and Shirley—28.

NOES—Messrs. McCoppin, Rogers, Satterwhite, Searls, Smith, and Whitney—6.

Read third time.

Mr. McGarvey moved to re-commit the bill to the Senator from Sacramento, with special instructions to amend, as follows:

Amend by adding, after the last word of the amendment, the words "to him or them."

Lost.

On the passage of the bill, the ayes and noes were demanded by Messrs. Fowler, Lewis, and McGarvey, and it passed by a vote, as follows:

AYES—Messrs. Craig, Crane, Evans, Flint, Fowler, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McGarvey, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Rogers, Searls, and Smith—20.

NOES—Messrs. Bones, Brown of Amador, Coleman, Curtis, Dean, Donovan, Goodwin, Gwin, Montgomery, Ream, Satterwhite, Shirley, and Whitney—13.

Mr. Searls gave notice of a motion to reconsider the vote by which the bill passed.

Mr. Lewis moved to reconsider the vote by which Senate Bill No. 574, was passed on yesterday.

Mr. Pierson moved to indefinitely postpone the motion to reconsider.

Carried.

Mr. Ream submitted a report, as follows:

SENATE CHAMBER,)
SACRAMENTO, March 26th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 535—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board, to pay certain deficiencies in the General Fund of said city and county.

D. REAM, for the Committee.

RECESS.

At twelve o'clock and fifty-five minutes P. M., on motion of Mr. Goodwin, the Senate took a recess until one o'clock and thirty minutes P. M.

RE-ASSEMBLED.

At one o'clock and thirty minutes P. M., the Senate re-assembled. President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Curtis, Dean, Donovan, Evans, Fowler, Goodwin, Haymond, Hilborn, Hill, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, and Whitney.

Quorum present.

Mr. McGarvey, for the delegation, verbally reported Assembly Bill No. 567—An Act to authorize the maintenance of booms in Elk River, and the removal of obstructions from said stream—recommending passage.

Rules suspended, and the bill taken up.

Read third time, and passed.

On motion of Mr. Goodwin, the rules were suspended to take up, from the general file, Senate Bill No. 521—An Act to add a new section to the Code of Civil Procedure.

On a motion to suspend the rules, to place the bill on its final passage, the ayes and noes were demanded by the requisite number, and lost by a vote, as follows:

AYES—Messrs. Beazell, Brown of Amador, Brown of El Dorado, Craig, Crane, Evans, Goodwin, Haymond, Hilborn, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Murphy of San Francisco, Nunan, and Pierson—17.

NOES—Messrs. Boring, Boyston, Coleman, Curtis, Donovan, Flint, Hill, Howe, Montgomery, Murphy of San Luis Obispo, Murphy of Santa Clara, Ream, Satterwhite, Searls, and Whitney—15.

Two-thirds not voting in the affirmative.

Mr. B. D. Murphy moved to indefinitely postpone the bill.

Lost.

When the bill was ordered engrossed.

MOTIONS AND RESOLUTIONS.

Mr. Haymond offered a joint resolution, to be numbered fifty-four—In reference to a re-survey, by the government, of San Pablo and Suisun Bays.

Read first and second times.

Rules suspended, considered engrossed, read third time, and passed.

By Mr. J. C. Murphy:

Resolved, That the resolution passed in the Senate on March thirteenth, eighteen hundred and seventy-eight, amendatory to a resolution passed in the Senate January fifth, eighteen hundred and seventy-eight, be amended to read as follows:

Resolved, That the Printing Committee of the Senate be and they are hereby authorized to employ a messenger, whose duty it shall be to receive all matters, that are to be printed, from the Secretary of the Senate, and transmit the same to the State Printer, and receive his receipt for the same, and the messenger to also receipt to the Secretary of the Senate for all documents that come to his hands. He shall receive the same pay as the Clerks at the desk of the Senate, and drawn from the Contingent Fund of the Senate; be it further

Resolved, That this resolution shall take effect from January fifth, eighteen hundred and seventy-eight, and be substituted for the resolution and amendatory resolution of March thirteenth, eighteen hundred and seventy-eight.

Adopted.

SPECIAL ORDERS—AFTER READING JOURNAL.

Senate Bill No. 358—An Act in relation to railroads.

Senate Bill No. 359—An Act amendatory of and supplementary to an Act entitled an Act to provide for the appointment of Commissioners of Transportation, to fix the maximum charges for freights and fares, and to prevent extortion and discrimination of railroads in this State, approved April third, eighteen hundred and seventy-six.

Senate Bill No. 360—An Act for the prevention of unjust discrimination, and for the regulation of freights and fares on railroads in this State.

Were now taken up.

On motion of Mr. Craig, the bills were laid on the table.

Assembly Bill No. 649—An Act to improve and perfect the present sewerage system of the City and County of San Francisco.

Was now taken up.

The bill was reported from the Committee of the Whole with sundry amendments, which read as follows:

Amend section one: After the word "same," insert the words "in

that district bounded as follows: Commencing at the northwesterly corner of Market and East Streets, and extending along the northwesterly line of Market Street to its intersection with Valencia Street; thence along the westerly line of Valencia Street to Eighteenth Street; thence along the southerly line of Eighteenth Street to the large Mission Creek sewer; thence along said sewer to Ninth Street; thence along Channel Street and the city front to the intersection of the northwesterly line of Market Street with said city front; thence to the northwesterly corner of Market and East Streets, the point of commencement."

Amend section seven by striking out all after the word "competition," in line nine of the printed bill, and insert the following: "Provided, that no contract so let, nor the sureties therefor, shall be considered accepted until approved by the Board of Supervisors."

Strike out all after the word "made," section eight.

Strike out words "two hundred and," in line fourteen, section eleven.

Insert after the word "delay," in line fifty-four, section thirteen, printed bill, the words "provided the cost does not exceed two hundred dollars."

Amend, by adding a new section after section fourteen, to be numbered section fifteen, and re-number the succeeding sections:

"Section 15. Whenever the Board of Sewer Commissioner shall decide to build new sewers, or reconstruct or repair old ones, they shall submit a statement of their intentions (and plans) to the Board of Health, and if the said Board (of Health) indorse the work proposed to be done, then the said Board shall be authorized to proceed; but if the Board of Health decide otherwise, then the Board of Sewer Commissioners shall modify their plans, so as to conform to the judgment of the said Board of Health: *provided*, that all bills for labor of all kinds, and materials furnished to perform any work done under the provisions of this Act, as well as all moneys paid on account of contracts, shall be first allowed and approved by the Board of Supervisors and the Mayor, as all other bills (over which they have jurisdiction) are approved and allowed."

On the adoption of the amendments as a whole, the ayes and noes were demanded by the requisite number, and the amendments were rejected by a vote, as follows:

AYES—Messrs. Coleman, Dean, Donovan, Goodwin, Howe, Montgomery, Murphy of San Luis Obispo, Nunan, Ream, Searls, and Whitney—11.

NOES—Messrs. Beazell, Bones, Boyston, Craig, Crane, Evans, Flint, Fowler, Haymond, Lambert, Lewis, McCarthy, McGarvey, Murphy of San Francisco, Rogers, Satterwhite, and Smith—17.

Read third time.

On its passage, the ayes and noes were demanded by Messrs. Donovan, Nunan, and Howe, and it passed by a vote, as follows:

AYES—Messrs. Beazell, Boyston, Brown of Amador, Craig, Crane, Donovan, Evans, Flint, Fowler, Goodwin, Hilborn, Lewis, McCarthy, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Pierson, Rogers, and Shirley—20.

NOES—Messrs. Bones, Boring, Coleman, Dean, Howe, Nunan, Ream, Satterwhite, Searls, and Whitney—10.

Mr. Donovan gave notice of a motion to reconsider the vote by which the bill passed.

Mr. Pierson introduced a joint resolution, to be numbered Senate Joint Resolution No. 55—Concerning United States Engineers acting with State Engineers in the investigation and examination contemplated by the law passed, "To provide a system of irrigation and improve the navigation of the Sacramento and San Joaquin Rivers."

Read first and second times.

Rules suspended, considered engrossed, read third time, and passed.

Ordered to the Assembly without engrossment.

Mr. Brown of El Dorado offered a resolution, as follows:

Resolved, That the Assembly be requested to return to the Senate Assembly Bill No. 417—An Act giving lien to loggers and laborers employed in logging camps upon logs cut and handled by the person who employs them.

Adopted.

Mr. McCarthy submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, March 26th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 256—An Act conferring further powers upon the Board of Supervisors of the City and County of San Francisco.

Also, Senate Bill No. 530—An Act to amend an Act entitled an Act in relation to highways in the County of Solano, approved March sixteenth, eighteen hundred and seventy-six.

Also, Senate Bill No. 114—An Act to amend section one thousand seven hundred and forty-six of the Political Code.

Also, Senate Bill No. 366—An Act to change the corporate name of the Mission Episcopal Church, in the City and County of San Francisco.

Also, Senate Bill No. 307—An Act to establish a scale for the measurement of logs.

And, this day, at twelve o'clock, presented the same to the Governor.

McCARTHY, Chairman.

Mr. McGarvey offered a resolution, as follows:

Resolved, That the sum of fifty-six dollars, payable out of the Contingent Fund of the Senate, is hereby allowed to W. A. Selkirk, for services as Clerk of the Judiciary Committee of the Senate for seven days, from January eleventh to January eighteenth, eighteen hundred and seventy-eight.

Adopted.

On motion of Mr. Haymond, the rules were suspended to take from the general file Senate Bill No. 592—An Act to amend the Code of Civil Procedure.

Amended.

Mr. B. D. Murphy moved to indefinitely postpone the bill.

On which the ayes and noes were demanded by Messrs. Haymond, McGarvey, and Whitney, and the Senate refused by a vote, as follows:

AYES—Messrs. Beazell, Bones, Boring, Boyston, Coleman, Flint, Hilborn, Hill, Lambert, Lewis, Murphy of Santa Clara, Ream, Rogers, and Searls—14.

NOES—Messrs. Brown of Amador, Craig, Crane, Curtis, Fowler, Goodwin, Haymond, McCarthy, McGarvey, Montgomery, Murphy of San Luis Obispo, Nunan, Pierson, Satterwhite, Shirley, Smith, and Whitney—17.

On the engrossment of the bill, the ayes and noes were demanded by Messrs. Haymond, Searls, and Craig, and it was ordered engrossed by a vote, as follows:

AYES—Messrs. Brown of Amador, Craig, Crane, Curtis, Evans, Fowler, Goodwin, Haymond, Howe, McCarthy, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Pierson, Satterwhite, Shirley, and Whitney—18.

NOES—Messrs. Bones, Boring, Boyston, Coleman, Hilborn, Hill, Lambert, Lewis, Murphy of Santa Clara, Ream, Rogers, Searls, and Smith—13.

SPECIAL ORDERS.

Assembly Bill No. 764—An Act making appropriations for the support of the Government of the State of California, for the thirtieth and thirty-first fiscal years—was continued a special order until after the reading of the Journal to-morrow.

On motion of Mr. Craig, Senate Bill No. 472 was continued as a special order, and set for consideration after the reading of the Journal to-morrow.

On motion of Mr. F. M. Brown, Assembly Bill No. 389 was continued as a special order, after reading of the Journal to-morrow.

ASSEMBLY MESSAGES.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER, }
SACRAMENTO, March 26th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twenty-fifth day of March, A. D. eighteen hundred and seventy-eight, amended and passed Senate Bill No. 503—An Act to amend Chapter One, Title Fifteen, of the Penal Code—Relative to violations of the laws for the preservation of fish and game.

And, on this day, passed Senate Bill No. 489—An Act to amend certain sections of the Political Code, and to enact and add certain sections thereto—Relating to pilots and pilot regulations.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER, }
SACRAMENTO, March 26th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 577—An Act to amend section one thousand five hundred and ninety of the Penal Code.

Also, adopted the report of the Committee of Free Conference on Assembly Bill No. 433. Also, concurred in Senate amendments to Assembly Bills Nos. 165, 659, 577, 375, 9, 587, 477, 173, 785, and 685.

And refused to concur in Senate amendments to Assembly Bill No. 15—An Act to promote the health of the residents of the City of Sacramento.

Also, adopted Senate Concurrent Resolution No. 52.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Senate Bill No. 503, above reported.

Referred to the Committee on Fisheries and Game.

Mr. Craig introduced a bill, to be numbered Senate Bill No. 668—An Act for the relief of John Bays, of the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

Mr. Smith, for the delegation, verbally reported with amendment, recommending passage as amended, Senate Bill No. 659—An Act to ratify certain contracts and ordinances of the Council of the City of Los Angeles.

Rules suspended, and the bill taken up for consideration.

Amendment adopted.

Considered engrossed, read third time, and passed.

Ordered to the Assembly without engrossment.

ADJOURNMENT.

At four o'clock and forty minutes P. M. on motion of Mr. Searls, the Senate adjourned.

IN SENATE.

SENATE CHAMBER.

WEDNESDAY, March 27th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bearell, Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Howe, Haymond, Hiltner, Hill, Howe, Lambert, Lewis, McCarthy, McLaughlin, McCarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, and Whitney.

Quorum present.

The Journal of yesterday not read, and approved, by general consent.

SPECIAL ORDER—AFTER READING JOURNAL.

Assembly Bill No. 389—An Act to incorporate the Town of Berkeley, in Alameda County.

Reported with sundry amendments.

Amendments concurred in.

Mr. Donovan moved to indefinitely postpone the bill.

On which the ayes and noes were demanded by Messrs. J. C. Murphy, Goodwin, and Evans, and the motion was lost by a vote, as follows:

AYES—Messrs. Bearell, Boyston, Curtis, Donovan, Fowler, McCarthy, McCarvey, Murphy of Santa Clara, Nunan, Pierson, Rogers, and Shirley—12.

NOES—Messrs. Bones, Brown of Amador, Brown of El Dorado, Coleman, Crane, Dean, Evans, Flint, Hiltner, Hill, Howe, Lambert, Montgomery, Ream, Satterwhite, and Searls—16.

The bill read third time.

On the passage of the bill, the ayes and noes were demanded by the requisite number, and it passed by a vote, as follows:

AYES—Messrs. Bones, Brown of Amador, Brown of El Dorado, Coleman, Crane, Dean, Donovan, Evans, Flint, Fowler, Hiltner, Hill, Howe, Lambert, Montgomery, Ream, Satterwhite, and Searls—18.

NOES—Messrs. Bearell, Boyston, Curtis, McCarthy, McCarvey, Murphy of Santa Clara, Nunan, Pierson, Rogers, and Shirley—10.

Mr. Fowler gave notice of a motion to reconsider the vote by which the bill passed.

Mr. Rogers submitted a report, as follows:

SENATE CHAMBER.

SACRAMENTO, March 26th, 1878.

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 339—An Act to provide for the care and maintenance of the indigent sick of Tuolumne County.

Also, Senate Bill No. 489—An Act to amend certain sections of the Political Code, and to enact and add certain sections thereto—relating to ports and pilot regulations.

Also, Assembly Bill No. 366—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, etc., etc.

Also, Assembly Bill No. 532—An Act to amend section six thousand and forty-two of the Political Code—respecting the duties of the Fish Commissioners.

And, this day, at five o'clock P. M., presented the same to the Governor.

GEO. H. ROGERS, of Committee.

Mr. McCarthy submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, March 27th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 478—An Act to provide funds for the school department of the Town of Alameda.

Also, Senate Bill No. 488—An Act to amend an Act entitled an Act concerning roads and highways in Contra Costa County, approved March eleventh, eighteen hundred and seventy-six.

Also, Senate Bill No. 338—An Act to establish and open Montgomery Street South, in the City and County of San Francisco, and take private lands therefor.

And, this day, at twelve o'clock M., presented the same to the Governor.

McCARTHY, Chairman.

Mr. Pierson moved to reconsider the vote by which Assembly Bill No. 649 passed on yesterday.

Mr. J. C. Murphy moved to indefinitely postpone the motion to reconsider the vote, on which the ayes and noes were demanded by Messrs. Donovan, Ream, and Craig, and the motion prevailed by a vote, as follows:

AYES—Messrs. Bones, Boyston, Brown of Amador, Craig, Crane, Curtis, Dean, Evans, Flint, Lambert, McCarthy, Murphy of San Francisco, Ream, Rogers, and Satterwhite—15.

NOES—Messrs. Beazell, Coleman, Donovan, Hill, Howe, McGarvey, Montgomery, Murphy of Santa Clara, Nunan, Pierson, Searls, and Whitney—12.

RECESS.

At two o'clock and twenty minutes P. M., on motion of Mr. McGarvey, the Senate took a recess until three o'clock P. M.

RE-ASSEMBLED.

At three o'clock P. M., the Senate re-assembled.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Evans, Flint, Fowler, Goodwin, Haymond, Hilborn, Hill, Howe, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

Mr. Hilborn, for the Committee on Fisheries and Game, verbally reported Senate Bill No. 503—An Act to amend Chapter One, Title Fifteen, of the Penal Code—relating to violations of the laws for the preservation of fish and game, recommending the Assembly amendment to the bill be concurred in.

Rules suspended, and the bill taken up.

Assembly amendment concurred in.

Mr. Hilborn offered a concurrent resolution, as follows:

Resolved by the Senate, the Assembly concurring. That the Enrolling Clerk of the Senate be and he is hereby authorized and directed to correct a clerical error, made in engrossing Senate Bill No. 503—An Act to amend Chapter One, Title Fifteen, of the Penal Code—relating to violations of the laws for the preservation of fish and game, by striking out of line fifteen, section one, the word "quail," and inserting in lieu thereof the word "quail."

Adopted.

Mr. Searls, by general consent, withdrew a motion, given by him on yesterday, to reconsider the vote by which Senate Bill No. 292 passed on yesterday.

Mr. Ream submitted a report, as follows:

MR. PRESIDENT: The Committee on Hospitals, to whom was referred Senate Bill No. 614—have had the same under consideration, report it back, and a majority recommend its passage as amended.

D. REAM, Chairman.

Mr. Smith moved to take from the table Senate Bills Nos. 358 and 360, all relating to railroads.

On the motion, the ayes and noes were demanded by Messrs. Smith, Satterwhite, and Goodwin, and the motion prevailed by a vote, as follows:

AYES—Messrs. Boring, Coleman, Curtis, Dean, Donovan, Evans, Fowler, Haymond, Hilborn, Hill, Howe, Lewis, McCoppin, Montgomery, Murphy of Santa Clara, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney—23.

NOES—Messrs. Bones, Boyston, Brown of Amador, Brown of El Dorado, Crane, Flint, Goodwin, McCarthy, McGarvey, Murphy of San Francisco, and Nunan—11.

Mr. Haymond moved to lay the bills on the table, on which the ayes and noes were demanded by Messrs. Satterwhite, Fowler, and F. M. Brown, and the Senate refused by a vote, as follows:

AYES—Messrs. Beazell, Bones, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Crane, Goodwin, Haymond, Hill, Lewis, McCarthy, McGarvey, Murphy of San Francisco, and Searls—15.

NOES—Messrs. Boring, Curtis, Dean, Donovan, Evans, Flint, Fowler, Hilborn, Howe, Montgomery, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Shirley, Smith, and Whitney—19.

Mr. Goodwin moved to indefinitely postpone all the bills, on which the ayes and noes were demanded by the requisite number, and the motion prevailed by a vote, as follows:

AYES—Messrs. Beazell, Bones, Boyston, Brown of Amador, Coleman, Craig, Crane, Evans, Flint, Goodwin, Haymond, Hilborn, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Murphy of San Francisco, Pierson, Rogers, Searls, and Shirley—22.

NOES—Messrs. Boring, Brown of El Dorado, Curtis, Dean, Donovan, Fowler, Hill, Howe, Montgomery, Murphy of Santa Clara, Nunan, Ream, Satterwhite, Smith, and Whitney—15.

Mr. Lewis, for the Committee on Education, verbally reported, recommending passage, Assembly Bill No. 410—An Act to provide for the distribution of school moneys in certain counties.

Mr. Fowler, for the Committee on Irrigation, verbally reported, recommending passage, Assembly Bill No. 780—An Act to repeal an Act to create an irrigation district, to be called the West Side Irrigation District, approved March third, eighteen hundred and seventy-six, and an Act entitled an Act supplemental to an Act entitled an Act to create an irrigation district, to be called the West Side Irriga-

tion District, approved April third, eighteen hundred and seventy-six, so far as their provisions relate to the Counties of Contra Costa and Alameda.

Mr. Brown of El Dorado verbally reported, recommending passage, Assembly Bill No. 713—An Act to repeal an Act entitled an Act to extend the time for selling property for delinquent taxes in the County of Alpine, approved March twenty-second, eighteen hundred and seventy-six.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

Mr. McGarvey, for the delegation, verbally reported, recommending passage, Assembly Bill No. 816—An Act to amend an Act to provide for funding the indebtedness of the County of Mendocino, approved April nineteenth, eighteen hundred and sixty-two.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

Mr. Curtis, for the delegation, verbally reported, recommending passage, substitute for Assembly Bill No. 656—An Act to provide for the election of officers for the City of Sacramento.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

Mr. Flint, for the delegation, verbally reported, recommending passage, Assembly Bill No. 669—An Act to amend an Act entitled an Act to prevent persons passing through inclosures and leaving them open, by tearing down fences or otherwise, and to prevent hunting upon inclosed lands in the State of California, approved March twenty-third, eighteen hundred and seventy-six.

Rules suspended, and the bill taken up.

Read third time, and passed.

Mr. Whitney verbally reported Assembly Bill No. 784—recommending its reference to the Committee on Counties and County Boundaries.

So referred.

On motion of Mr. Lewis, all the special orders for to-day, not considered, were postponed, to take the same order as special orders after the reading of the Journal to-morrow.

Mr. McCoppin submitted a report, as follows:

MR. PRESIDENT: The Committee on Finance and Claims, to whom was referred Assembly Bill No. 792—An Act making appropriations for the payment of claims accruing from the repairs of and furnishing the State Capitol, and for the improvement of the State Capitol grounds—have had the same under consideration, report it back with an amendment, and recommend the adoption of the amendment and the passage of the bill as amended.

McCOPPIN, Chairman of Committee.

Rules suspended, and the bill taken up.

Amendments adopted.

Read third time, and passed.

Mr. Ream submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, March 26th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 86—An Act to declare Clear Lake, in Lake County, navigable.

Also, Senate Bill No. 470—An Act to amend an Act entitled an Act to regulate and govern the California State Prison, approved April third, eighteen hundred and seventy-six.

Also, Senate Bill No. 415—An Act relative to Attorney-General and District Attorneys.

Also, Senate Bill No. 547—An Act relative to the Board of Trustees of the City of Sacramento.

Also, Senate Bill No. 569—An Act to authorize the Board of Supervisors of Alameda County to establish a receiving hospital in the City of Oakland.

Also, Senate Bill No. 642—An Act in relation to swamp land districts to be formed where the land in such district lies in two or more counties.

Also, Senate Bill No. 600—An Act granting additional powers to the Mayor and Common Council of the City of San José.

D. REAM, Chairman.

Mr. Searls submitted a report, as follows:

MR. PRESIDENT: The Committee on Corporations have had under consideration Assembly Bill No. 821—An Act to define cooperative business corporations, and to provide for the organization and government thereof—and report the same back, and recommend that it do pass.

NILES SEARLS, Chairman.

Rules suspended, and the bill taken up.

Read third time, and passed.

By Mr. Nunan:

MR. PRESIDENT: The San Francisco delegation, to whom was referred Senate Bill No. 298—Relative to amending section five hundred and sixty-two of the Political Code, and adding two new sections, to be numbered five hundred and sixty-eight and five hundred and sixty-nine—have had the same under consideration, report it back, and recommend that the author have leave to withdraw the same.

Also, Senate Bill No. 54—An Act to extend the Golden Gate Park to Market Street—report it back, and a majority recommend its passage.

Also, Senate Bill No. 603—Relative to paving the roadway of Eighth Street—report it back, and recommend its passage.

Also, Assembly Bill No. 608—An Act for the better protection of draymen and others—report it back, and recommend that it do not pass.

Also, Senate Bill No. 395—Relative to the Board of Education—report it back, and recommend its passage.

Also, Senate Bill No. 214—Relative to the House of Correction—report the same back, and a majority recommend its passage as amended.

E. NUNAN, Chairman.

On motion of Mr. McCoppin, Senate Bill No. 54, above reported, was made a special order for twelve o'clock M., to-morrow.

Mr. Brown of El Dorado submitted a report, as follows:

MR. PRESIDENT: The delegation, to whom was referred Assembly Bill No. 686—An Act to divide the County of El Dorado into Revenue Districts, and to provide for the assessment, collection, and equalization of taxes therein—having had the same under consideration, report it back to the Senate, and recommend its passage as amended.

BROWN, for the Delegation.

By Mr. McGarvey:

MR. PRESIDENT: The Judiciary Committee, to whom was referred Assembly Bill No. 221—An Act to ratify and confirm a contract made by the City of Monterey—have had the same under consideration, and report it back with the recommendation that it do not pass.

Also, substitute for Assembly Bill No. 315—An Act to amend an Act entitled an Act to establish a Political Code, in relation to elections—report the same back, and a majority recommend its passage.

McGARVEY, Chairman.

The rules were suspended to take from the general file, out of order, the following bills:

On motion of Mr. Pierson, Assembly Bill No. 326—An Act to amend sections three thousand six hundred and ninety-six, three thousand eight hundred and sixteen, three thousand eight hundred and twenty-nine, three thousand eight hundred and sixty-eight, and four thousand and eighty-three of the Political Code, in relation to delinquent taxes, and the settlement of County Treasurers with the Controller of State.

Read third time, and passed.

On motion of Mr. Crane, Assembly Bill No. 779—An Act to supply Oroville with fresh water for fire purposes.

Read third time, and passed.

On motion of Mr. Evans, Assembly Bill No. 485—An Act to define the duties of Inspectors of Rifle Practice of the National Guard of California.

Read third time, and passed.

On motion of Mr. McCoppin, Assembly Bill No. 545—An Act to authorize the Board of Supervisors of the City and County of San Francisco to open Valencia Street, in said city and county, from a point about four hundred feet north of Mission Street to the northwest line of Mission Street, and to condemn property for the roadway of said street.

Read third time, and passed.

On motion of Mr. McCarthy, Assembly Bill No. 321—An Act concerning property within the City and County of San Francisco.

Read third time.

On the passage of the bill, the ayes and noes were demanded by the requisite number, and the bill passed by a vote, as follows:

AYES—Messrs. Beazell, Boyston, Brown of Amador, Coleman, Craig, Crane, Evans, Goodwin, Haymond, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Murphy of San Francisco, Murphy of San Luis Obispo, Pierson, Rogers, Searls, Shirley, and Whitney—21.

NOES—Messrs. Boring, Curtis, Dean, Ream, Satterwhite, and Smith—6.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows:

By Mr. Murphy of San Francisco: Senate Bill No. 669—An Act amendatory of and supplementary to an Act entitled an Act to improve and perfect the present sewerage system in the City and County of San Francisco.

Read first and second times, and referred to Judiciary Committee.

By Mr. F. M. Brown: Senate Bill No. 670—An Act to authorize the Board of Supervisors of Amador County to declare that portion of the Amador and Nevada wagon road, which lies in Amador County, a toll road.

Read first and second times, rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

Ordered to the Assembly without engrossment.

By Mr. Evans: Senate Joint Resolution No. 56—Relative to rifle teams at the Paris Exposition.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

Ordered to the Assembly without engrossment.

By Mr. Goodwin: Senate Bill No. 671—An Act to amend sections three hundred and thirty-six and three hundred and thirty-seven of the Civil Code.

Read first and second times.

Rules suspended, and the bill taken up.

Amended, and, by unanimous consent, read third time.

On the passage of the bill, the ayes and noes were demanded by the requisite number, and it passed by a vote, as follows:

AYES—Messrs. Benzell, Brown of El Dorado, Craig, Curtis, Dean, Evans, Goodwin, Gwin, Lambert, Lewis, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Rogers, Shirley, and Whitney—17.

NOES—Messrs. Bones, Boring, Boyston, Coleman, Crane, Flint, Hilborn, Hill, Howe, McCoppin, Murphy of Santa Clara, Norton, and Ream—13.

Mr J. C. Murphy gave notice of a motion to reconsider the vote by which the bill passed.

By Mr. Donovan: Senate Bill No. 672—An Act to confer further powers on the Board of Regents of the University of the State of California.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

Ordered to the Assembly without engrossment.

By Mr. Haymond (by request): Senate Bill No. 673—An Act for the purchase of certain pictures belonging to John Hector.

Read first and second times, and referred to the Committee on Finance and Claims.

Also, Senate Bill No. 674—An Act to amend an Act entitled an Act to provide for the improvement of the streets of the City of Sacramento, approved March eighth, eighteen hundred and seventy-six.

Read first and second times.

Rules suspended, considered engrossed, read third time, and passed.

Ordered to the Assembly without engrossment.

Also, Senate Bill No. 675—An Act to add a new section to the Code of Civil Procedure, relating to the impeachment of witnesses.

Read first and second times, and referred to the Judiciary Committee, and ordered not printed.

GOVERNOR'S MESSAGES.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
SACRAMENTO, March 27th, 1878. }

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bills No. 14—An Act to regulate the salaries and fix the compensation of certain county officers in the County of Nevada.

No. 114—An Act to amend section one thousand seven hundred and forty-six of the Political Code.

No. 219—An Act to provide a new Great Register for the County of Yolo, and re-register the voters thereof.

No. 280—An Act to confer additional powers upon, and to authorize certain appropriations of money by, the Board of Supervisors of the City and County of San Francisco.

No. 345—An Act to repeal an Act entitled an Act to protect agriculture in the County of El Dorado, approved March twentieth, eighteen hundred and seventy-six.

No. 364—An Act to provide compensation for the Township Assessor of the Township of Oakland, County of Alameda.

No. 384—An Act for the relief of John Q. Hendricks, Charles Carroll, and R. D. Hubbard.

No. 454—An Act to establish a Board of Health for the County of Tulare.

No. 480—An Act to regulate the traveling fees of the Sheriffs of the Counties of Kern and Tulare, and to repeal certain Acts therein mentioned.

No. 500—An Act to authorize the Board of Supervisors of Amador County to levy a special tax for bridge purposes in Township Number One.

WILLIAM IRWIN, Governor.

To the Senate of the State of California:

I herewith respectfully return to your honorable body Senate Bill No. 218—An Act to amend section one thousand five hundred and ninety of the Penal Code—without my approval.

This bill is returned because another bill has passed both the Senate and Assembly which

will accomplish the purpose intended by this one, and, as it is believed, in a sure and satisfactory manner.

WILLIAM IRWIN, Governor.

To the Senate of the State of California:

I herewith respectfully return to your honorable body Senate Bill No. 264—An Act to authorize the Trustees of the Snelling School District to pay the debt of said district—without my approval.

This bill is returned at the instance of the author, he having become satisfied, since its passage by the Senate and the Assembly, that the object sought can be better accomplished by an Act of a different character.

WILLIAM IRWIN, Governor.

Upon the question, "Shall Senate Bill No. 218, returned from the Governor for reasons set forth in this message, become a law, notwithstanding the objections of the Governor?" the roll was called, and the Senate refused to so pass the bill by a vote, as follows:

AYES—None.

NOES—Messrs. Bones, Boring, Boyston, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Goodwin, Gwin, Haymond, Hilborn, Hill, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney—34.

Upon the question, "Shall Senate Bill No. 264 become a law, notwithstanding the objections of the Governor?" the roll was called, and the Senate refused to so pass the bill by a vote, as follows:

AYES—None.

NOES—Messrs. Beazell, Bones, Boring, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Goodwin, Gwin, Haymond, Hilborn, Hill, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Searls, Smith, and Whitney—31.

ASSEMBLY MESSAGES.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, March 27th, 1878. }

MR. PRESIDENT: I have to inform your honorable body that the Assembly, on the twenty-sixth day of March, A. D. eighteen hundred and seventy-eight, passed, and ordered transmitted without engrossment, Assembly Bill No. 816—An Act to amend an Act entitled an Act to provide for funding the indebtedness of the County of Mendocino, approved April nineteenth, eighteen hundred and sixty-two.

Assembly Bill No. 817—An Act to divide the County of San Bernardino into Supervisor Districts, and to provide for the election and term of office of Supervisors of said county.

Assembly Bill No. 819—An Act to amend an Act entitled an Act to authorize the Trustees of the City of Napa to procure a supply of wholesome fresh water for the use of the inhabitants of said city, approved March thirty-first, eighteen hundred and seventy-six.

Assembly Bill No. 820—An Act to provide for the establishment and maintenance of public roads in Napa County.

Also, passed Senate Bill No. 566—An Act to amend section two thousand five hundred and forty-eight of the Political Code.

Senate Bill No. 420—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board.

Senate Bill No. 550—An Act to provide a sufficient number of deputies for the County Assessor of Santa Cruz County.

Senate Joint Resolution No. 54—In reference to the re-survey, by the government, of San Pablo and Suisun Bays.

Amended and passed Senate Bill No. 211—An Act for the relief of the Oakland Guard of Oakland City.

And indefinitely postponed Senate Bill No. 387—An Act to amend an Act entitled an Act in relation to the county officers of Santa Cruz County, their fees and salaries, approved March third, eighteen hundred and seventy-six.

Also, passed Assembly Bill No. 811—An Act to declare Dutch Slough, in Contra Costa County, navigable.

Also, Assembly Bill No. 581—An Act to create a drainage district, to be called the Sacramento River Drainage District, to establish a Board of Commissioners therefor, and to define their powers and duties.

And, on the twenty-sixth day of March, amended and passed Senate Bill No. 462—An Act to provide a system of irrigation, promote rapid drainage, and improve the navigation of the Sacramento and San Joaquin Rivers.

And, on this day, passed, and ordered transmitted without engrossment, Assembly Bill No. 836—An Act to confer further powers on the Board of Education of the City of Sacramento.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER. }
SACRAMENTO, March 27th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, amended and passed substitute for Senate Bills Nos. 117, 190, and 500—An Act making appropriations for public institutions.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 244 was ordered returned to the Assembly, as per request from that body on yesterday.

Substitute for Assembly Bill No. 581, above reported.

Read first and second times.

Ordered printed out of order, and referred to the delegations named in the bills.

Assembly Bills Nos. 811, 820, 836, 819, and 816, above reported.

Each read first and second times, and referred to the delegation named in the bills.

Assembly Bill No. 817, above reported.

Read first and second times.

Rules suspended, and the bill taken up.

By unanimous consent, read third time, and passed.

Assembly Bill No. 15, returned in a message on yesterday, was taken up.

The Senate refused to recede from its amendments to the bill, and appointed a committee of conference, as follows: Messrs. Curtis, Haymond, and Lambert.

Substitute for Assembly Bills Nos. 117, 190, and 500, above reported.

Assembly amendment concurred in.

Senate Bill No. 211, above reported.

Assembly amendment concurred in.

On motion of Mr. Craig, Assembly Bill No. 780, reported to-day, was now taken up.

Rules suspended, read third time, and passed.

Mr. Pierson offered a concurrent resolution, as follows:

WHEREAS, a Constitutional Convention is about to be held in this State; and certain evils exist, arising from our present unstable municipal systems, and the want of a permanent and uniform plan for the government of the cities of the State; therefore, be it

Resolved by the Senate, the Assembly concurring. That the Governor be and he hereby is authorized to appoint a Commission of not more than ten persons, whose duty it shall be to consider the subject of municipal reform, devise a plan for the government of cities, and to report the same to the next Constitutional Convention of California.

Resolved, That the Commission shall receive no compensation for their services.

Adopted.

Mr. McCarthy submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, March 27th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 581—An Act to revise an Act entitled an Act to revise an Act to amend the charter of the City of Los Angeles, to define its limits and rights, to enlarge its powers, and provide for its more efficient government, approved April first, eighteen hundred and seventy-six.

Also, Senate Bill No. 505—An Act to prevent the destruction of deer on Monte Diablo, in Contra Costa County.

Also, Senate Bill No. 506—An Act to prohibit the destruction of fish in Alameda County.

Also, Senate Bill No. 383—An Act to prevent the destruction of fish in King's River.

And, this day, at four o'clock P. M., presented the same to the Governor.

McCARTHY, Chairman.

At five o'clock, Mr. P. W. Murphy moved to adjourn.

Lost.

At five o'clock and three minutes P. M., Mr. McGarvey moved that the Senate take a recess until seven o'clock and thirty minutes, this evening, on which the ayes and noes were demanded by the requisite number, and the Senate refused by a vote, as follows:

AYES—Messrs. Bones, Boring, Boyston, Brown of Amador, Crane, Donovan, Flint, Hilborn, Hill, Howe, McGarvey, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Nunan, Pierson, and Rogers—17.

NOES—Messrs. Beazell, Brown of El Dorado, Coleman, Craig, Curtis, Dean, Evans, Fowler, Goodwin, Gwin, Haymond, Lambert, Lewis, McCarthy, Murphy of San Luis Obispo, Ream, Satterwhite, Searls, Shirley, Smith, and Whitney—21.

On motion of Mr. Brown of Amador, the rules were suspended to take up from the general file Assembly Bill No. 603—An Act for the relief of Edward Christy.

Read third time, and passed.

At five o'clock and five minutes, Mr. Fowler moved to adjourn until ten o'clock to-morrow morning, on which the ayes and noes were demanded by Messrs. Donovan, Fowler, and Whitney, and the Senate refused by a vote, as follows:

AYES—Messrs. Beazell, Boring, Boyston, Brown of El Dorado, Craig, Crane, Flint, Fowler, McCarthy, Montgomery, Murphy of San Francisco, Shirley, and Whitney—13.

NOES—Messrs. Bones, Brown of Amador, Coleman, Curtis, Dean, Donovan, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCoppin, McGarvey, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, and Smith—25.

ADJOURNMENT.

At five o'clock and ten minutes P. M., Mr. Searls moved to adjourn. On which the ayes and noes were demanded by the requisite number, and the motion prevailed by a vote, as follows:

AYES—Messrs. Beazell, Boring, Brown of Amador, Brown of El Dorado, Coleman, Craig, Curtis, Fowler, Goodwin, Gwin, Howe, Lambert, McCarthy, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Ream, Satterwhite, Searls, Shirley, and Smith—22.

NOES—Messrs. Bones, Boyston, Dean, Donovan, Haymond, Hill, McGarvey, Nunan, Pierson, and Whitney—10.

When the President announced the Senate adjourned until eleven o'clock A. M., to-morrow.

IN SENATE.

SENATE CHAMBER,
THURSDAY, March 28th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boring, Boyston, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Evans, Flint, Fowler, Goodwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

The Journal of yesterday not read, and approved, by general consent.

The special orders, set for consideration after reading of Journal, were postponed to pass through the regular order of business.

REPORTS.

Reports were submitted, as follows:

By Mr. McGarvey:

MR. PRESIDENT: The Judiciary Committee, to whom was referred Senate Bill No. 426—An Act for the relief of purchasers of State lands—have had the same under consideration, and herewith report the same back with an amendment, and recommend the adoption of the amendment and the passage of the bill as amended.

Also, Senate Bill No. 669—An Act amendatory of and supplementary to an Act to improve and perfect the present sewerage system in the City and County of San Francisco—and recommend its passage.

McGARVEY, Chairman.

By Mr. Flint:

MR. PRESIDENT: The Hospital Committee, to whom was referred Senate Bill No. 84—asks leave to report the same back, and recommend that it do not pass.

FLINT, for Committee.

Mr. Rogers, for the Committee on Contingent Expenses, verbally reported the following resolutions, recommending their passage:

Resolved, That S. S. Ford, the Assistant Sergeant-at-Arms of the Senate, be allowed fourteen dollars services for arresting Senators Brown of Amador, Murphy of Santa Clara, Coleman, Haymond, Hill, McCarthy, and Smith, on a call of the Senate had this day, payable out of the appropriation for the contingent expenses of the Senate.

Adopted.

Resolved, That Edward Duffy be allowed sixteen dollars, payable out of the Contingent Fund of the Senate, for four days' services as Porter at commencement of this session.

Adopted.

Resolved, That the sum of twelve dollars be paid to Samuel Marks out of the Contingent Fund of the Senate, for three days' services as Porter in the Senate, viz.: for December third, fourth, and fifth, eighteen hundred and seventy-seven.

Adopted.

Also, recommending the resolution in reference to Patrick Levey, be reduced from two hundred and forty dollars to one hundred and twenty dollars, and that the same be adopted as amended.

The amendment was adopted, which makes the resolution read as follows:

Resolved, That the sum of one hundred and twenty dollars be and the same is hereby appropriated out of the fund for the contingent expenses of the Senate, to be paid to Patrick Levey, for extra services rendered in lighting and taking care of the gas-burners and fixtures in the Senate chamber and rooms used by the officers and committees of the Senate, and for repairing locks, desks, keys, etc., in said chamber and rooms, during the session of eighteen hundred and seventy-five-six, and for the present session of the Senate.

Adopted as amended.

By Mr. Flint:

MR. PRESIDENT: The delegation from San Benito, to whom was referred Assembly Bill No. 163—An Act to make the provisions of an Act entitled an Act concerning hogs found running at large in certain counties in this State, approved April twenty-first, eighteen hundred and fifty-six, and amendment of title thereof, approved March twenty-sixth, eighteen hundred and sixty-three, applicable to the County of San Benito—having considered the same, asks leave to report the same back, and recommend that it do not pass.

FLINT, for Delegation.

By Mr. Ream:

MR. PRESIDENT: The Committee on Hospitals, to whom was referred Senate Bill No. 514—have had the same under consideration, and recommend that it do not pass.

D. REAM, Chairman.

Mr. Crane, for the Committee on Counties and County Boundaries, verbally reported Assembly Bill No. 784—An Act to amend section three thousand nine hundred and seventy-two of the Political Code—recommending that it do not pass.

Mr. Curtis, for the delegation, verbally reported, recommending the passage of the bill, Assembly Bill No. 296—An Act to create and organize Reclamation District Number Two Hundred and Five, and to define its boundaries and provide for its government.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

Mr. Hill, for the delegation, verbally reported, recommending its passage, Assembly Bill No. 820—An Act for the establishment and maintenance of public roads in Napa County.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

Also, with amendments, Assembly Bill No. 769—An Act to amend an Act entitled an Act to re-incorporate the City of Napa, approved February twenty-fourth, eighteen hundred and seventy-four, amended by an Act approved March twenty-ninth, eighteen hundred and seventy-six.

Rules suspended.

Amendments adopted.

Read third time, and passed.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows:

By Mr. Curtis: Senate Bill No. 676—An Act to provide for the improvement of the Capitol grounds.

Read first and second times, and referred to the Committee on Finance and Claims.

By Mr. Beazell: Senate Bill No. 677—An Act supplemental to an Act entitled an Act supplementary to an Act entitled an Act to amend an Act entitled an Act to incorporate the City of Oakland, passed March twenty-fifth, eighteen hundred and fifty-four, and repealing certain other Acts in relation to said city, approved April twenty-fourth, eighteen hundred and sixty-two, approved March thirtieth, eighteen hundred and seventy-four.

Read first and second times.

Rules suspended, considered engrossed, read third time, and passed.

Ordered to the Assembly without engrossment.

This order was made in reference to all the bills introduced to-day.

By Mr. McGarvey: Senate Bill No. 678—An Act amendatory of and supplementary to an Act entitled an Act to provide for the construction and repair of bridges in the County of Mendocino.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

By Mr. Bones: Senate Bill No. 679—An Act in relation to certain streets in the Town of Alameda.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

By Mr. Hilborn, for the Committee on Fisheries and Game: Senate Bill No. 680—An Act to amend section six hundred and thirty-three of the Penal Code.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

By Mr. Rogers: Senate Bill No. 681—An Act to establish a State Board of Immigration.

Read first and second times, and referred to the San Francisco delegation.

MOTIONS AND RESOLUTIONS.

Mr. Murphy moved to reconsider the vote by which Senate Bill No. 671 passed, on yesterday.

Carried.

On motion of Mr. J. C. Murphy, the vote on and amendment to the bill, adopted on yesterday, was reconsidered, and the same rejected.

Read third time.

Mr. McGarvey moved to lay the bill on the table, on which the ayes and noes were demanded by Messrs. F. M. Brown, Goodwin, and Searls, and the Senate refused by a vote, as follows:

AYES—Messrs. Crane, Deane, Don van, Evans, Flint, Haywood, Hillman, Lambert, Lewis, McArthur, McGarvey, Murphy of San Francisco, Murphy of Santa Clara, Numan, Pearson, Rogers, Satterwhite, and Smith—19.

NOES—Messrs. Russell, Bones, Boring, Brown of Amador, Coleman, Craig, Curtis, Fowler, Goodwin, Hill, Montgomery, and Smith—12.

Mr. Searls moved to reconsider the vote by which Assembly Bill No. 389 passed, on yesterday.

On which the ayes and noes were demanded by Messrs. Fowler, Haymond, and Whitney. and the Senate refused to reconsider the vote by the following vote :

AYES—Messrs. Beazell, Boring, Boyston, Curtis, Donovan, Fowler, Gwin, Haymond, Lambert, McCarthy, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Rogers, and Smith—17.

NOES—Messrs. Bones, Brown of Amador, Brown of El Dorado, Coleman, Crane, Dean, Evans, Flint, Goodwin, Hilborn, Howe, Lewis, McOppin, Montgomery, Ream, Satterwhite, Searls, and Whitney—18.

ASSEMBLY MESSAGE.

The following message was received from the Assembly :

ASSEMBLY CHAMBER,
SACRAMENTO, March 28th, 1878. }

MR. PRESIDENT : I have been directed to inform your honorable body that the Assembly, on the twenty-seventh day of March, A. D. eighteen hundred and seventy-eight, amended and passed Senate Bill No. 210—An Act concerning street contracts in San Francisco.

Passed Senate Bill No. 630—An Act to provide for the location, construction, and maintenance of public roads in the County of Amador.

Passed Senate Bill No. 618—An Act to incorporate the City of San Luis Obispo, approved March twentieth, eighteen hundred and seventy-six.

Passed Senate Bill No. 231—An Act to confer further powers on the Common Council of the City of Santa Barbara.

Passed Senate Bill No. 624—An Act to provide a fund for the repairing of roads in San Luis Obispo County.

Passed Senate Bill No. 625—An Act concerning roads and highways in San Luis Obispo County.

Passed Senate Bill No. 425—An Act providing for the payment of certain salaries out of the Special Fee Fund of the City of San Francisco.

Amended and passed Senate Bill No. 579—An Act to regulate roads and highways in Lassen County.

Passed Senate Bill No. 561—An Act to amend an Act, approved April first, eighteen hundred and seventy-six, entitled an Act to extend the Act of April twenty-first, eighteen hundred and fifty-six, approved April first, eighteen hundred and sixty-four.

Passed Assembly Bill No. 716—An Act to prescribe the number of the members of the Board of Supervisors for the County of Sacramento, to fix the time of their election and meeting, and to provide for their compensation.

Passed Senate Bill No. 519—An Act to amend an Act entitled an Act to authorize the County Treasurer of El Dorado County to transfer certain funds, approved March sixteenth, eighteen hundred and seventy-six.

Passed Senate Bill No. 511—An Act to provide for transcribing the Great Register of El Dorado County.

Passed Senate Bill No. 633—An Act to further define the Judicial Districts in the City and County of San Francisco.

Passed Senate Bill No. 598—An Act to close an unused street in San Francisco.

Passed Senate Bill No. 556—An Act to provide for the extermination of squirrels in the County of Contra Costa.

Amended and passed Senate Bill No. 650—An Act to authorize the Board of Supervisors of Monterey County to construct and build a bridge across the Salinas River.

Amended and passed Senate Bill No. 430—An Act to create a Bureau of Labor and Statistics in the State of California.

Amended and passed Senate Bill No. 580—An Act to incorporate the Town of Dixon.

Also, adopted Assembly Concurrent Resolution No. 72—Relative to Assembly Bill No. 274.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Concurrent Resolution No. 72, above reported, concurred in.

Assembly Bill No. 716, above reported.

Read first and second times, and referred to the delegation.

Senate Bills Nos. 580, 430, 650, 579, and 210, above reported.

Assembly amendments to each bill concurred in.

The rules were suspended to take up, out of their order, the following bills from the general file:

On motion of Mr. Craig, substitute for Assembly Bill No. 113—An Act to provide for reorganizing and better regulating the Paid Fire Department of the City and County of San Francisco, and to repeal all other Acts relating to said Fire Department.

Amended.

Read third time, and passed.

Assembly Bill No. 558—An Act to provide for the payment of certain outstanding road warrants of Sacramento County.

On motion of Mr. Haymond, made a special order for to-morrow, at two o'clock P. M.

On motion of Mr. Craig, Assembly Bill No. 632—An Act granting to John C. Boggs a reward for the capture of Ah Sam, alias Gee Ah You, a noted murderer.

Read third time, and passed.

On motion of Mr. Nunan, Senate Bill No. 611—An Act to grant the right of way for a railroad track within the limits of the City and County of San Francisco.

Rules suspended, considered engrossed, read third time, and passed.

On motion of Mr. F. M. Brown, Senate Bill No. 576—An Act to amend section four hundred and ninety-eight of the Civil Code, relative to street railroad corporations.

Amended.

Rules suspended, considered engrossed, read third time, and passed.

On motion of Mr. McGarvey, Senate Bill No. 554—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure.

Rules suspended, considered engrossed, read third time, and passed.

On motion of Mr. Whitney, substitute for Assembly Bill No. 477—An Act to reestablish Court-house School District, in the County of Sonoma, and repeal an Act in relation thereto.

Read third time, and passed.

On motion of Mr. B. D. Murphy, Assembly Bill No. 315—An Act to amend an Act entitled an Act to establish a Political Code, in relation to elections.

Read third time, and passed.

On motion of Mr. Brown of El Dorado, Assembly Bill No. 369—An Act for the preservation of fish in the waters of Lake Tahoe.

Amended.

Read third time, and passed.

On motion of Mr. Whitney, Assembly Bill No. 554—An Act for the relief of Frederick Kuhule.

Amended.

Read third time, and passed.

On motion of Mr. J. C. Murphy, Senate Bill No. 669, reported from the Judiciary Committee, was taken up.

Rules suspended, considered engrossed, read third time, and passed.

Ordered to the Assembly without engrossment.

On motion of Mr. Boring, Assembly Bill No. 178—An Act to amend section six hundred and ninety of the Code of Civil Procedure—In reference to property exempt from execution and forced sale.

RECESS.

Pending consideration of the bill, the hour of one o'clock p. m. arrived, and, in accordance with a motion of Mr. Craig, previously made, the Senate took a recess for one hour.

RE-ASSEMBLED.

At one o'clock and thirty minutes p. m., the Senate re-assembled. President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boring, Boyston, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Goodwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McOppin, McGarvey, Montgomery, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

Mr. Howe offered a resolution, providing for paying E. J. Smith three dollars a day, from fifteenth of January, for services rendered the Committee on Engrossed Bills.

Referred to Committee on Contingent Expenses.

Assembly Bill No. 178, resumed.

Amendments concurred in.

Read third time, and passed.

The following bills were taken from the general file, under a suspension of the rules, on motion of Mr. Searls:

Assembly Bill No. 584—An Act to provide for the construction of a railroad from the Town of Truckee, Nevada County, to Tahoe City, Lake Bigler, Placer County, and to regulate fares and freights thereon.

Read third time, and passed.

On motion of Mr. Hill, Assembly Bill No. 543—An Act to amend an Act entitled an Act to provide for constructing division fences, approved March ninth, eighteen hundred and seventy-six.

Amendments concurred in.

Read third time, and passed.

Resolutions were offered, as follows:

By Mr. Evans:

Resolved, That the Enrolling Clerk of the Senate be and he is hereby directed to enroll forthwith Senate Bill No. 500—An Act making appropriations for public buildings.

Adopted.

By Mr. Curtis: A resolution to pay John Conrad one hundred and twenty dollars for repairing and taking care of the clocks in the Senate chamber during the session.

Referred to the Committee on Contingent Expenses.

By Mr. Donovan: A resolution allowing the Clerk on Public Buildings and Grounds five dollars a day from January twenty-ninth.

Referred to the Committee on Contingent Expenses.

Mr. Ream submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, March 28th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 521—An Act to add a new section to the Code of Civil Procedure.

Also, Senate Bill No. 541—An Act for the relief of the purchasers of State lands.

Also, Senate Bill No. 596—An Act to authorize William Hook and his associates and assigns to construct a canal for shipping purposes, in Contra Costa County.

Also, Senate Bill No. 622—An Act to create a new township in Calaveras County.

Also, Senate Bill No. 592—An Act to amend the Code of Civil Procedure.

Also, Senate Bill No. 577—An Act to amend section one thousand five hundred and ninety of the Penal Code.

Also, substitute for Senate Bills Nos. 117, 190, and 500—An Act making appropriations for public institutions.

Also, Senate Bill No. 566—An Act to amend section two thousand five hundred and forty-eight of the Political Code.

D. REAM, for the Committee.

[Mr. J. C. Murphy in the chair.]

SPECIAL ORDERS—AFTER READING JOURNAL.

Assembly Bill No. 764—An Act making appropriations for the support of the Government of the State of California for the thirtieth and thirty-first fiscal years—was now taken up.

Pending consideration of the bill,

GOVERNOR'S MESSAGE.

A message was received from the Governor, announcing certain appointments, among others E. J. Lewis, *vice* George R. Vernon, resigned, as Major-General of the National Guard.

The Chair directed the Secretary to read that portion of the message, and the roll to be called upon the question, "Will the Senate advise and consent to the appointment?" when the roll was called, with the following result:

AYES—Messrs. Beazell, Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Gwin, Haymond, Hill, Howe, Lambert, McCarthy, McOppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Smith, and Whitney—34.

NOES—None.

Whereupon the Chair announced the appointment of E. J. Lewis as a Major-General, *vice* George R. Vernon, resigned, duly confirmed.

On motion of Mr. McGarvey, the Governor's message, containing other appointments not acted on, was made a special order for Saturday next, at two o'clock P. M.

Assembly Bill No. 764, resumed.

Reported from Committee of the Whole with an amendment, adding appropriations to various benevolent societies, in different parts of the State, with an amendment thereto.

The amendment to the amendment, offered by Mr. Ream, reads as follows:

Amend by striking out "the San Francisco Foundling and Lying-in Hospital, six thousand dollars."

On adopting the amendment to the amendment, the ayes and noes were demanded by Messrs. Haymond, Boyston, and Hill, and it was lost by a vote, as follows, a majority failing to vote in the affirmative:

AYES—Messrs. Beazell, Boyston, Coleman, Curtis, Evans, Goodwin, Gwin, Hilborn, Hill,

Lambert, Lewis, McCarthy, McCoppin, Murphy of Santa Clara, Ream, Rogers, Satterwhite, and Searls—18.

NOES—Messrs. Bones, Boring, Brown of Amador, Brown of El Dorado, Crane, Dean, Donovan, Fowler, Haymond, Howe, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Nunan, Pierson, Smith, and Whitney—18.

Mr. Lambert offered an amendment to the amendment, as follows: For the Ladies' Library and Benevolent Association of Woodland, one thousand dollars.

Lost.

Mr. Nunan offered an amendment by adding, "to the Youths' Directory of San Francisco, two thousand dollars."

Adopted.

Mr. Beazell offered an amendment to the amendment appropriating one thousand dollars to the Board of Directors of the State Prison, to be used in furnishing transportation to discharged prisoners, etc.

Adopted.

Mr. Lewis moved the previous question, which was duly seconded, and the main question ordered by a majority vote of the Senate.

On the adoption of the original amendment as amended, the ayes and noes were demanded by Messrs. Fowler, Hill, and Lambert, and it was adopted by a vote, as follows:

AYES—Messrs. Beazell, Bones, Boring, Boyston, Brown of El Dorado, Crane, Curtis, Dean, Donovan, Flint, Fowler, Haymond, Howe, Lewis, McCarthy, McGarvey, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Rogers, Searls, Smith, and Whitney—25.

NOES—Messrs. Brown of Amador, Coleman, Evans, Goodwin, Gwin, Hill, Lambert, McCoppin, Montgomery, Ream, and Satterwhite—11.

Read third time.

On the passage of the bill, the ayes and noes were demanded by Messrs. Ream, Gwin, and Flint, and it passed by a vote, as follows:

AYES—Messrs. Beazell, Bones, Boring, Boyston, Brown of El Dorado, Coleman, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Haymond, Hilborn, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Searls, Smith, and Whitney—31.

NOES—Messrs. Brown of Amador, Gwin, Hill, Montgomery, and Satterwhite—5.

Mr. Ream gave notice of a motion to reconsider the vote by which the bill passed.

Mr. McCarthy submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, March 28th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 211—An Act for the relief of the Oakland Guard of Oakland City.

Also, Senate Bill No. 420—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board.

Also, Senate Bill No. 600—An Act granting additional powers to the Mayor and Common Council of the City of San José.

Also, Senate Bill No. 503—An Act to amend Chapter One, Title Fifteen, of the Penal Code—relating to violation of the laws for the preservation of fish and game.

Also, Senate Bill No. 547—An Act relative to the Board of Trustees of the City of Sacramento.

Also, substitute for Senate Bill No. 569—An Act to authorize the Board of Supervisors of Alameda County to establish a receiving hospital in the City of Oakland.

Also, Senate Bill No. 462—An Act to provide a system of irrigation, promote rapid drainage, and improve the navigation of the Sacramento and San Joaquin Rivers.

Also, Senate Bill No. 519—An Act to amend an Act entitled an Act to authorize the County Treasurer of El Dorado County to transfer certain funds, approved March sixteenth, eighteen hundred and seventy-six.

Also, Senate Bill No. 425—An Act providing for the payment of certain salaries out of the Special Fee Fund of the City and County of San Francisco.

Also, Senate Bill No. 618—An Act entitled an Act to incorporate the City of San Luis Obispo, approved March twentieth, eighteen hundred and seventy-six.

Also, Senate Bill No. 561—An Act to amend an Act, approved April first, eighteen hundred and seventy-six, entitled an Act to extend the Act of April twenty-first, eighteen hundred and fifty-six, approved April first, eighteen hundred and sixty-four.

Also, Senate Bill No. 511—An Act to provide for the transcribing the Great Register of El Dorado County.

Also, Senate Bill No. 598—An Act to close an unused street in San Francisco.

Also, substitute for ————An Act making appropriations for public buildings.

Also, Senate Bill No. 210—An Act concerning certain street contracts in San Francisco.

Also, Senate Bill No. 566—An Act to amend section two thousand five hundred and forty-eight of the Political Code.

Also, Senate Bill No. 577—An Act to amend section one thousand five hundred and ninety of the Penal Code.

Also, Senate Bill No. 430—An Act to create a Bureau of Labor and Statistics in the State of California.

Also, Senate Bill No. 579—An Act to regulate roads and highways in Lassen County.

Also, substitute for Senate Bills No. 117, 190, and 500—An Act making appropriations for public institutions.

And, this day, at five o'clock P. M., presented the same to the Governor.

McCARTHY, Chairman.

Mr. McCoppin submitted a report of the Senate Committee of Free Conference on Assembly Bill No. 200—An Act concerning the police force of San Francisco, to increase its members and efficiency, and to regulate its government—signed by McCoppin, Boyston, and McCarthy.

The report was ordered printed, out of order.

Mr. Ream submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, March 28th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 640—An Act to provide a Contingent Fund for the use of the Legislature.

D. REAM, for the Committee.

ADJOURNMENT.

At five o'clock and forty minutes P. M., Mr. Evans moved to adjourn, on which the ayes and noes were demanded by the requisite number, and the motion prevailed by a vote, as follows:

AYES—Messrs. Benzell, Bones, Boring, Brown of El Dorado, Crane, Curtis, Dean, Donovan, Evans, Goodwin, Gwin, Haymond, Hilborn, Lambert, McCarthy, Murphy of San Francisco, Murphy of San Luis Obispo, Pierson, Ream, Rogers, and Satterwhite—21.

NOES—Messrs. Boyston, Brown of Amador, Coleman, Flint, Fowler, Hill, Howe, Lewis, McGarvey, Montgomery, Murphy of Santa Clara, Numan, Searls, Smith, and Whitney—15.

When the Chair announced the Senate adjourned until eleven o'clock to-morrow.

IN SENATE.

SENATE CHAMBER,
FRIDAY, March 29th, 1878. }

The Senate met pursuant to adjournment.
President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

The reading of the Journal of yesterday was dispensed with, and same approved, by general consent.

Mr. Pierson moved a suspension of the rules to take from the general file Senate Bill No. 214—An Act in relation to the House of Correction of the City and County of San Francisco.

On suspending the rules, the ayes and noes were demanded by the requisite number, and the motion prevailed by a vote, as follows:

AYES—Messrs. Beazell, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Evans, Flint, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCoppin, McGarvey, Montgomery, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Smith, and Whitney—31.

NOES—Messrs. Bones, Boyston, Donovan, and Murphy of San Francisco—4.

Amendments to the bill concurred in.

Rules suspended, considered engrossed, read third time, and passed. Ordered to the Assembly without engrossment.

On motion of Mr. Montgomery, the rules were suspended to take from the general file Assembly Bill No. 218—An Act to permit John J. Wesselhoft to redeem certain lands sold to the State for delinquent taxes, for the fiscal year eighteen hundred and seventy-five-six.

Read third time, and passed.

On motion of Mr. Craig, the rules were suspended, to take from the general file Assembly Bill No. 723—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco.

Read third time, and passed.

Mr. McCarthy submitted a report, as follows:

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 640—An Act to provide a Contingent Fund for the use of the Senate.

And, this day, at eleven o'clock and twenty minutes A. M., presented the same to the Governor.

McCARTHY, Chairman.

Mr. F. M. Brown moved to take up the special orders, which, by adjournment on yesterday, went into unfinished business, on which the ayes and noes were demanded by Messrs. J. C. Murphy, Flint, and F. M. Brown, and the motion was lost by a vote, as follows—it requiring a suspension of the rules, and a two-thirds vote, to re-instate the bills as special orders:

AYES—Messrs. Bones, Boring, Brown of Amador, Coleman, Craig, Flint, Fowler, Haymond, Hilborn, Hill, Howe, Lewis, McCoppin, McGarvey, Montgomery, Murphy of Santa Clara, Nunan, Ream, Searls, Smith, and Whitney—21.

NOES—Messrs. Beazell, Boyston, Brown of El Dorado, Crane, Curtis, Dean, Donovan, Evans, Goodwin, Gwin, Lambert, McCarthy, Murphy of San Francisco, Murphy of San Luis Obispo, Pierson, Rogers, Satterwhite, and Shirley—18.

REPORTS.

Reports were submitted, as follows:

By Mr. McGarvey:

MR. PRESIDENT: The Judiciary Committee, to whom was referred Assembly Bill No. 407—An Act to amend section six hundred and two of the Political Code, in relation to insurance—have had the same under consideration, and report the same back, and recommend its passage.

Also, Assembly Bill No. 325—An Act to provide for the registration of policies of life insurance—and recommend its passage.

Also, substitute for Senate Bill No. 155—An Act to amend the Civil Code, and repeal certain Acts relative to insurance—and recommend that the Senate refuse to concur in the Assembly amendments.

Also, Assembly substitutes for Senate Bills Nos. 153, 156, 295, and for section four hundred and fifty-three, in section three, of Senate Bill No. 155—An Act to amend the Political Code in relation to insurance—and recommend that the Senate refuse to concur in the Assembly amendments.

Also, substitute for Senate Bill No. 154—An Act to amend the Civil Code, in relation to insurance—and recommend that the Senate refuse to concur in the Assembly amendments.

McGARVEY, Chairman.

On motion of Mr. McGarvey, the rules were suspended, and the bills, above reported, taken up for consideration.

Assembly Bill No. 325.

Read third time, and passed.

Assembly Bill No. 407.

Read third time, and passed.

And the report of the committee in regard to Senate Bills Nos. 155, 154, and 153, etc., was adopted, and, on motion of Mr. McGarvey, a Committee of Free Conference was ordered, which the President appointed, as follows: Messrs. McGarvey, Haymond, and Pierson.

Mr. Rogers, for the Committee on Contingent Expenses, verbally reported the following resolution, recommending that the amount in the original resolution be changed from three dollars to two dollars, and the resolution adopted as amended, to read as follows:

Resolved, That Ed. J. Smith be and he is hereby allowed the amount of two (\$2) dollars per day from the fifteenth day of January, eighteen hundred and seventy-eight, for services rendered the Committee on Engrossed Bills, said sum being payable out of the appropriation for the contingent expenses of the Senate.

Amended as above, and adopted.

Also:

Resolved, That the Clerk to the Committee on Public Buildings and Grounds be allowed the sum of five dollars per day from January twenty-ninth, eighteen hundred and seventy-eight, payable out of the Contingent Fund of the Senate.

Adopted.

By Mr. Searls:

MR. PRESIDENT: The Committee on Corporations, to whom was referred substitute for Assembly Bill No. 394—An Act to encourage the mining industry, and to suppress stock gambling—having had the same under consideration, and having listened to arguments for and against it, are compelled, by what they conceive to be a sense of duty, in view of the early adjournment of the Legislature, to report said bill back without thorough investigation, and consequently without recommendation.

NILES SEARLS, Chairman.

By Mr. Howe:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 132—An Act to amend sections two thousand nine hundred and ten, and two thousand nine hundred and fourteen of the Political Code—have had the same under consideration, and report it back without recommendation.

Also, Senate Bill No. 133—An Act to add a new section to the Political Code, to be numbered three thousand four hundred and ninety-one—report it back, and recommend its passage.

Also, Senate Bill No. 595—An Act to amend sections two thousand four hundred and fifty-seven, two thousand four hundred and sixty-six, and two thousand four hundred and sixty-seven of the Political Code—report it back without recommendation.

HOWE, Chairman.

By Mr. Shirley:

MR. PRESIDENT: Your Committee on State Prison and Prison Buildings, to whom was referred substitute for Assembly Bill No. 22—An Act to provide for the completion of the Branch State Prison, at Folsom—report the same back, and recommend it do not pass.

PAUL SHIRLEY, Chairman.
J. O. GOODWIN,
GEO. S. EVANS,
JAMES BEAZELL,
W. McPHERSON HILL,
R. McGARVEY,
A. P. WHITNEY.

Mr. Haymond submitted a minority report, as follows:

MR. PRESIDENT: The undersigned, members of the State Prison Committee, respectfully recommend the passage of the bill considered by the committee, entitled an Act to provide for the completion of the Branch State Prison, at Folsom.

HAYMOND.
EDWARD NUNAN.

Mr. Haymond moved to make the bill a special order for to-day, at one o'clock P. M.

On which the ayes and noes were demanded by Messrs. Haymond, Craig, and Curtis, and the Senate refused by a vote, as follows—it requiring a two-thirds vote to suspend the rules:

AYES—Messrs. Bones, Boring, Brown of El Dorado, Craig, Crane, Curtis, Dean, Donovan, Flint, Fowler, Haymond, Hilborn, Hill, Lambert, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Nunan, Ream, and Rogers—20.

NOES—Messrs. Beazell, Brown of Amador, Coleman, Evans, Goodwin, Howe, Lewis, McCoppin, McGarvey, Murphy of San Luis Obispo, Pierson, Satterwhite, Searls, Shirley, and Whitney—15.

Mr. Rogers, for the minority of the Committee of Free Conference on Senate Bill No. 104, verbally reported the bill, recommending that the Senate concur in the Assembly amendments to the bill—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor, Treasurer, and Superintendent of Public Streets, Highways, and Squares thereof, and authorize an appropriation of money by said Board.

Mr. J. C. Murphy moved to re-refer the bill to the Committee of Free Conference.

Mr. Rogers moved, as an amendment, to re-refer the bill to the Senate part of the Committee of Free Conference, with instructions to report the same at two o'clock P. M., to-day.

On which the ayes and noes were demanded by Messrs. Rogers, Craig, and Howe, and the amendments to the motion were adopted by a vote, as follows:

AYES—Messrs. Bones, Boring, Brown of El Dorado, Coleman, Craig, Donovan, Goodwin, Gwin, Haymond, Hill, Howe, Lambert, Lewis, Montgomery, Ream, Rogers, and Whitney—17.
 NOES—Messrs. Beazell, Dean, McCarthy, McGarvey, Murphy of San Francisco, Murphy of Santa Clara, Pierson, Satterwhite, and Searls—9.

And the bill was so referred.

Mr. Ream, in accordance with previous notice, moved to reconsider the vote by which Assembly Bill No. 764 passed on yesterday—An Act making appropriations for the support of the Government of the State of California for the thirtieth and thirty-first fiscal years.

On which the ayes and noes were demanded by Messrs. Ream, Evans, and Haymond, and the motion prevailed by a vote, as follows:

AYES—Messrs. Beazell, Boring, Brown of Amador, Coleman, Craig, Crane, Curtis, Evans, Goodwin, Gwin, Hilborn, Hill, Lambert, Lewis, McCarthy, McCoppin, Montgomery, Murphy of San Luis Obispo, Murphy of Santa Clara, Ream, Satterwhite, Searls, Shirley, and Smith—24.
 NOES—Messrs. Bones, Boyston, Brown of El Dorado, Dean, Donovan, Flint, Fowler, Haymond, McGarvey, Nunan, and Whitney—11.

The bill now being before the Senate on its third reading and passage, Mr. Ream moved to amend by striking out "to the San Francisco Lying-in and Foundling Hospital, six thousand dollars."

On which the ayes and noes were demanded by the requisite number, and the amendment was adopted by a vote, as follows:

AYES—Messrs. Beazell, Brown of Amador, Coleman, Craig, Crane, Curtis, Evans, Goodwin, Gwin, Hilborn, Hill, Lambert, Lewis, McCarthy, McCoppin, Montgomery, Murphy of San Luis Obispo, Murphy of Santa Clara, Ream, Satterwhite, Searls, Shirley, and Smith—23.
 NOES—Messrs. Bones, Brown of El Dorado, Dean, Donovan, Flint, Fowler, Haymond, McGarvey, Nunan, and Whitney—10.

Mr. McCoppin moved to amend by inserting, "to the California Woman's State Hospital, four thousand dollars."

Mr. Haymond moved the previous question, which was duly seconded, and the main question ordered by a majority of the Senate.

On the amendment offered by Mr. McCoppin, the ayes and noes were demanded by Messrs. McCoppin, Haymond, and Lewis, and the Senate refused to adopt the amendment by a vote, as follows:

AYES—Messrs. Boring, Boyston, Brown of Amador, Brown of El Dorado, Dean, Haymond, Lambert, McCoppin, McGarvey, Murphy of San Francisco, Pierson, Smith, and Whitney—13.
 NOES—Messrs. Beazell, Bones, Coleman, Craig, Crane, Curtis, Donovan, Evans, Flint, Goodwin, Gwin, Hilborn, Hill, Lewis, McCarthy, Montgomery, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Ream, Satterwhite, and Shirley—22.

The bill read third time, and passed.

ASSEMBLY MESSAGES.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
 SACRAMENTO, March 28th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twenty-eighth day of March, A. D. eighteen hundred and seventy-eight, passed Senate Bill No. 649—An Act to provide a Contingent Fund for the use of the Legislature.

Senate Bill No. 619—An Act to amend sections one thousand nine hundred and thirteen, one thousand nine hundred and sixty-two, and one thousand nine hundred and sixty-nine of the Political Code, and to add a new section thereto, and to amend section thirty-eight of an Act entitled an Act to amend the Political Code of the State of California, and other Acts concerning the National Guard, approved March twelfth, eighteen hundred and seventy-eight.

And amended and passed Senate Bill No. 549—An Act to amend an Act entitled an Act to

define the boundary, provide for the care, strengthening, and repairing of the levee, and for the payment of the indebtedness of Levee District Number One, Sutter County, approved March twentieth, eighteen hundred and seventy-four.

Also, that the Assembly, this day, concurred in Senate amendment to section thirteen of Assembly Bill No. 119, and refused to concur in all other amendments to the said bill.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 28th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twenty-seventh day of March, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 615—An Act entitled an Act to legalize and make valid copies of certain records of the County of Monterey.

Also, Assembly Bill No. 813—An Act in relation to certain swamp land in the City of Sacramento.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 29th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twenty-eighth day of March, A. D. eighteen hundred and seventy-eight, passed Senate Bill No. 638—An Act to provide for the payment of the indebtedness of Snelling School District, in the County of Merced, State of California.

Passed Senate Bill No. 634—An Act to amend an Act entitled an Act to re-incorporate the City of San José, approved March seventeenth, eighteen hundred and seventy-four.

Passed Senate Bill No. 225—An Act regulating the collection of poll tax in Merced County.

Passed Senate Bill No. 656—An Act to amend an Act entitled an Act to fix the terms of the County Court and Probate Court of the County of Merced, approved March eleventh, eighteen hundred and seventy-six.

Indefinitely postponed Senate Bill No. 297—An Act to amend sections three and five of an Act to authorize the City and County of San Francisco to provide and maintain public water-works for said city and county, and to condemn and purchase private property for that purpose, approved March twenty-seventh, eighteen hundred and seventy-six.

Indefinitely postponed Senate Bill No. 605—An Act to provide for the reduction of water-rates to consumers in the City and County of San Francisco.

Passed Senate Bill No. 636—An Act amendatory of and supplementary to an Act entitled an Act to amend an Act authorizing certain parties to improve a portion of King's River, and to erect booms thereon, approved March eighteenth, eighteen hundred and seventy-two, approved March twenty-seventh, eighteen hundred and seventy-six.

Amended and passed Senate Bill No. 544—An Act to provide for the construction of a railroad from Lone, in the County of Amador, to a point in or near the Town of Sutter Creek or Jackson, in said county, and to regulate fares and freights thereon.

Passed Senate Bill No. 586—An Act to authorize the Council of the City of Los Angeles to audit and pay to John S. Griffin the amount of a warrant heretofore drawn in his favor.

Passed Senate Bill No. 623—An Act to amend an Act entitled an Act to confer further powers on the Board of Trustees of the City of Sacramento.

Senate Bill No. 222—An Act relating to children.

Senate Bill No. 221—An Act for the protection of children, and to prevent and punish certain wrongs to children.

Passed Senate Bill No. 672—An Act to confer further powers on the Board of Regents of the University of the State of California.

Senate Bill No. 669—An Act amendatory of and supplementary to an Act entitled an Act to improve and perfect the present sewerage system in the City and County of San Francisco.

Also, passed Senate Bill No. 678—An Act amendatory of and supplementary to an Act entitled an Act to provide for the construction and repairs of a bridge in the County of Mendocino.

Also, Senate Bill No. 679—An Act in relation to certain streets in the Town of Alameda.

Also, Senate Bill No. 659—An Act to ratify certain contracts and ordinances of the Council of the City of Los Angeles.

Also, Senate Joint Resolution No. 57—Relative to rifle teams at the Paris Exposition.

Also, passed Assembly Bill No. 759—An Act to amend sections one thousand two hundred and fifty-four, and one thousand two hundred and fifty-seven, of the Code of Civil Procedure, relative to condemnation of lands for public use.

Assembly Bill No. 175—An Act to extend the jurisdiction of the Park Commissioners over a certain highway in the City and County of San Francisco.

Assembly Bill No. 550—An Act to amend sections three thousand seven hundred and eighty and three thousand eight hundred and thirteen of the Political Code, in relation to the redemption of property sold for taxes.

Passed Assembly Bill No. 825—An Act to regulate fees and fix the salaries and compensation of certain officers for the County of Santa Barbara.

Assembly Bill No. 852—An Act to incorporate the Town of Fresno.

Assembly Bill No. 831—An Act to authorize the Board of Supervisors of Monterey County to exempt firemen from the payment of poll taxes for county purposes.

Also, adopted Assembly Concurrent Resolution No. 71—Relative to Assembly Bill No. 522.

Assembly Bill No. 710—An Act to amend section one hundred and seventy-two of the Code of Civil Procedure.

Assembly Bill No. 842—An Act authorizing the purchase of lands and erection of a County Hospital.

Assembly Bill No. 837—An Act to provide for the liquidation and payment of the indebtedness of North Butte School District, in Sutter County.

Assembly Bill No. 833—An Act to organize a levee district in Yuba, Sutter, and Placer Counties, and to provide for the construction, maintenance, and repair of levees therein.

Also, refused to concur in Senate amendments to Assembly Bill No. 769.

And refused to concur in the last amendment made by Senate to Assembly Bill No. 178.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Concurrent Resolution No. 71, above reported.

Concurred in.

Assembly Bills Nos. 615, 813, 175, 842, 837, and 833, above reported.

Each read first and second times.

Rules suspended, and, by unanimous consent, read third time, and severally passed.

Assembly Bills Nos. 759, 550, and 710, above reported.

Each read first and second times, and referred to the Judiciary Committee.

Assembly Bills Nos. 831, 852, and 825, above reported.

Each read first and second times, and referred to the delegations named in the bills.

Assembly Bill No. 119, above reported, referred to the San Francisco delegation.

Senate Bills Nos. 669, 544, and 549, above reported.

Assembly amendments to each bill concurred in.

On motion of Mr. Haymond, the special order, set for two o'clock, Assembly Bill No. 558, was continued until after the roll-call after recess.

Mr. Flint submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, March 29th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 559—An Act to provide a sufficient number of deputies for the County Assessor of Santa Cruz County.

Also, Senate Joint Resolution No. 54—In reference to a re-survey, by the government, of San Pablo and Suisun Bays.

Also, Senate Bill No. 231—An Act to confer further powers on the Common Council of the City of Santa Barbara.

Also, Senate Bill No. 556—An Act to provide for the extermination of squirrels in the County of Contra Costa.

Also, Senate Bill No. 624—An Act to provide a fund for the repairing of roads in San Luis Obispo County.

Also, Senate Bill No. 625—An Act concerning roads and highways in San Luis Obispo County.

Also, Senate Bill No. 630—An Act to provide for the location, construction, and maintenance of public roads in the County of Amador.

Also, Senate Bill No. 633—An Act to further define the Judicial Districts in the City and County of San Francisco.

Also, Senate Bill No. 650—An Act to authorize the Board of Supervisors of Monterey County to open a public highway, and construct and build a bridge across the Salinas River.

Also, Senate Bill No. 619—An Act to amend sections one thousand nine hundred and thirteen, one thousand nine hundred and sixty-two, and one thousand nine hundred and sixty-nine of the Political Code, and to add a new section thereto, and to amend section thirty-eight of an Act entitled an Act to amend the Political Code of the State of California, and other Acts concerning the National Guard, approved March twelfth, eighteen hundred and seventy-eight.

FLINT, for the Committee.

On motion of Mr. Pierson, the consideration of the Governor's message, containing appointments made by him, was continued as a special order until Monday, at three o'clock P. M.

RECESS.

At one o'clock and forty-five minutes P. M., on motion of Mr. Lewis, the Senate took a recess for one hour.

RE-ASSEMBLED.

At two o'clock and forty-five minutes P. M., the Senate re-assembled.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boring, Brown of El Dorado, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, McCarthy, McGarvey, Montgomery, Murphy of San Francisco, Nunan, Pierson, Ream, Satterwhite, Shirley, Smith, and Whitney.

Quorum present.

The President called attention to sections two thousand two hundred and ninety-seven and two thousand two hundred and ninety-eight of the Political Code, which require all members of the Legislature to return to the State Library any books taken therefrom, stating that the accounts of members would be made up on Monday.

INTRODUCTION OF BILLS.

Bills were introduced, to be numbered as follows:

By Mr. Ream: Senate Bill No. 682—of the Political Code.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

Ordered to the Assembly without engrossment.

By Mr. Smith: Senate Bill No. 683—An Act making an appropriation for the benefit of the Southern California Horticultural Society.

Read first and second times, and ordered on the general file.

By Mr. Evans: Senate Joint Resolution No. 59—Relative to the restoration of Major and Brevet-Colonel James B. Collins to his former position in the Army of the United States.

Read first and second times.

Rules suspended, considered engrossed, and, by unanimous consent, read third time, and passed.

Ordered to the Assembly without engrossment.

Mr. Fowler, for the delegation, verbally reported, recommending passage, Assembly Bill No. 852—An Act to incorporate the Town of Fresno.

Mr. Hill, for the delegation, verbally reported, recommending its passage, Assembly Bill No. 819—An Act to amend an Act entitled an Act to authorize the Trustees of the City of Napa to procure a supply of wholesome fresh water for the use of the inhabitants of

said city, approved March thirty-first, eighteen hundred and seventy-six.

Rules suspended, and the bill taken up for consideration.

Read third time, and passed.

Mr. Pierson, for the Committee on Public Lands, verbally reported, without recommendation, Assembly Bill No. 130—An Act for the relief of Amelia C. Cowne, by authorizing the issuance to her of a patent for survey number six hundred and one of the swamp and overflowed lands in Sacramento County.

Also, Assembly Bill No. 601—An Act to authorize the Surveyor-General to collect from the United States moneys that may become due the State of California, on account of sales of land in this State.

The rules were suspended to take from the general file the following bills:

On motion of Mr. Craig, Senate Bill No. 663—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco.

Rules suspended, considered engrossed, read third time, and passed.

On motion of Mr. Haymond, Assembly Bill No. 753—An Act for the relief of schools in the flooded districts.

GOVERNOR'S MESSAGE.

A message was received from the Governor returning, without his approval, Senate Bill No. 305—An Act to authorize certain appropriations of money by the Board of Supervisors of the City and County of San Francisco.

(For message, see Senate appendix.)

The consideration of the message was made a special order, after the reading of the Journal, to-morrow.

Mr. McGarvey submitted a report, as follows:

MR. PRESIDENT: The Judiciary Committee, to whom was referred Assembly Bill No. 759—An Act to amend sections one thousand two hundred and fifty-four and one thousand two hundred and fifty-five of the Code of Civil Procedure, relative to condemnation of lands for public use—and recommend its passage.

R. MCGARVEY, Chairman.

On motion of Mr. McGarvey, the rules were suspended, and the bill, above reported, taken up for consideration.

Read third time, and passed.

Mr. Goodwin, for the delegation, verbally reported, recommending its passage, Assembly Bill No. 292—An Act concerning the fees of Justices of the Peace in and for the County of Yuba.

Rules suspended, and the bill taken up.

Read third time, and passed.

Mr. Curtis, for the delegation, verbally reported, and for a majority of the delegations, recommended the passage of the bill, Assembly Bill No. 581—An Act to create a drainage district, to be called the Sacramento River Drainage District, to establish a Board of Commissioners therefor, and to define their powers and duties.

ADJOURNMENT.

At three o'clock and ten minutes, Mr. Pierson moved to adjourn, on which the ayes and noes were demanded by Messrs. Howe, Lambert, and Craig, and the motion prevailed by a vote, as follows:

AYES—Messrs. Beazell, Boring, Brown of El Dorado, Crane, Flint, Fowler, Goodwin, Hilborn, Hill, Lewis, McCarthy, McCoppin, McGarvey, Murphy of Santa Clara, Pierson, Rogers, Satterwhite, Searls, Shirley, and Whitney—20.

NOES—Messrs. Bones, Boyston, Coleman, Craig, Curtis, Donovan, Gwin, Haymond, Howe, Lambert, Montgomery, Murphy of San Francisco, Nunan, Ream, and Smith—14.

When the President declared the Senate adjourned until to-morrow, at eleven o'clock A. M.

IN SENATE.

SENATE CHAMBER,
SATURDAY, March 30th, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

The Journal of yesterday not read, and approved, by general consent.

SPECIAL ORDER,

Saturday, March thirtieth, eighteen hundred and seventy-eight, after reading the Journal, being a veto message from the Governor, concerning Senate Bill No. 305.

On motion of Mr. McCoppin, the special order was postponed until one o'clock P. M.

The rules were suspended to take from the general file, as follows:

On motion of Mr. Haymond, Assembly Bill No. 558—An Act to provide for the payment of certain outstanding road warrants of Sacramento County.

Read third time, and passed.

On motion of Mr. Ream, Assembly Bill No. 302—An Act to amend certain sections of the Political Code, relative to the school law of California.

Read third time, and passed.

On motion of Mr. Lewis, Assembly Bill No. 636—An Act to amend section one thousand six hundred and seventeen of the Political Code, relating to the general powers of Boards of Trustees and of Education.

Read third time, and passed.

The rules were suspended to consider the following resolutions introduced, as follows:

By Mr. Montgomery:

Resolved, That the resolution passed in the Senate, December eleventh, eighteen hundred and seventy-seven, relative to an Assistant Minute Clerk, be amended to read as follows, viz.:

Resolved, That the Minute Clerk be authorized to appoint an Assistant at the desk, who shall receive the same pay as the Assistant Secretaries at the desk, and drawn from the Contingent Fund of the Senate; be it further

Resolved, That this resolution shall take effect from December eleventh, eighteen hundred and seventy-seven, and be substituted for the resolution in reference to an Assistant Minute Clerk, passed on that day.

Adopted.

By Mr. Searls:

Resolved, That the sum of fifteen dollars be allowed, out of the Contingent Fund of the Senate, to the Superintendent of State Printing, to pay the postage on advance proof-sheets of the laws, passed at this session of the Legislature; said proof-sheets to be sent to the address of each Senator after adjournment.

Adopted.

By Mr. Rogers:

Resolved, That W. H. Bell is hereby allowed the sum of five hundred and fifteen dollars, payable out of the Senate, for postage stamps used in mailing the report of the Chinese Commission, under a resolution of the Senate.

Adopted.

Mr. McCoppin submitted a report, as follows:

MR. PRESIDENT: The Committee on Finance and Claims, to whom was referred Assembly Bill No. 574—An Act making an appropriation for deficiencies in the support of the Napa State Asylum for the Insane, for the fiscal year ending June thirtieth, eighteen hundred and seventy-six—have had the same under consideration, report it back, with a recommendation that it pass.

Also, Assembly Bill No. 254—An Act for the relief of Colusa County—and recommend that it pass.

Also, Senate Bill No. 676—An Act to provide for the improvement of the State Capitol grounds—and recommend the passage of the same.

Also, Senate Bill No. 653—An Act for the relief of indigent sailors and soldiers, veterans of the Mexican war, and their widows, in this State—and recommend its passage.

McCOPPIN, Chairman of Committee.

The bills, above reported, were taken up under a suspension of the rules.

Assembly Bill No. 574.

Read third time, and passed.

Assembly Bill No. 254.

Read third time, and passed.

Senate Bill No. 653.

Rules suspended, considered engrossed, read third time, and passed.

Senate Bill No. 653.

Rules suspended, considered engrossed, read third time, and passed.

Ordered to the Assembly without engrossment.

Senate Bill No. 676.

Mr. Curtis moved to suspend the rules, to consider the bill engrossed, and place it on its final passage.

On which the ayes and noes were demanded by Messrs. Curtis, McGarvey, and Craig, and the motion prevailed by a vote, as follows:

AYES—Messrs. Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Craig, Curtis, Dean, Donovan, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Howe, Lambert, McArthur, McCoppin, Murphy of San Francisco, Murphy of Santa Clara, Nunan, Rogers, Searls, and Shirley—25.

NOES—Messrs. Coleman, Crane, Hill, Lewis, McGarvey, Montgomery, Pierson, Ream, Satterwhite, and Whitney—10.

Read third time, and passed.

Mr. Craig offered a resolution, as follows:

Resolved, That each member be allowed to take from the file one bill, and place it on its passage; *provided*, no bill which has passed into unfinished business shall be taken up.

On motion of Mr. Fowler, the resolution was laid on the table.

On motion of Mr. B. D. Murphy, Senate Bills Nos. 66, 109, and 293; and on motion of Mr. Dean, Senate Bill No. 631, were ordered enrolled out of their order.

The President presented a printed document headed, "The Fifteen Million Dollar San Francisco Water Job"—passed the Assembly at midnight, last night, under disguise, signed by John Mullan, for himself and others, citizens of San Francisco.

Reading the document in full was dispensed with.

Mr. Flint submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, March 30th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 669—An Act amendatory of and supplemental to an Act entitled an Act to improve and perfect the present sewerage system in the City and County of San Francisco.

Also, Senate Bill No. 580—An Act to incorporate the Town of Dixon.

Also, substitute for Senate Bill No. 225—An Act regulating the collection of poll tax in Merced County.

Also, Senate Bill No. 222—An Act relating to children.

Also, Senate Bill No. 634—An Act to amend an Act to incorporate the City of San José, approved March seventh, eighteen hundred and seventy-four.

Also, Senate Bill No. 221—An Act for the protection of children, and to prevent and punish certain wrongs to children.

Also, Senate Bill No. 656—An Act to amend an Act entitled an Act to fix the terms of the County Court and Probate Court in the County of Merced, approved March eleventh, eighteen hundred and seventy-six.

Also, Senate Bill No. 623—An Act to amend an Act to confer further powers on the Board of Trustees of the City of Sacramento.

Also, Senate Bill No. 679—An Act in relation to certain streets in the Town of Alameda.

Also, Senate Bill No. 678—An Act amendatory of and supplementary to an Act entitled an Act to provide for the construction and repair of bridges in the County of Mendocino.

Also, Senate Bill No. 672—An Act to confer further powers on the Board of Regents of the University of the State of California.

Also, Senate Bill No. 659—An Act to ratify certain contracts and ordinances of the Council of the City of Los Angeles.

Also, Senate Bill No. 586—An Act to authorize the Council of the City of Los Angeles to audit and pay to John S. Griffin the amount of a warrant, and heretofore drawn in his favor.

Also, Senate Bill No. 627—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco.

Also, Senate Bill No. 626—An Act to authorize the Board of Supervisors of the City and County of San Francisco to make provisions for any deficiency in the Street Department Fund of the fiscal year eighteen hundred and seventy-seven-eight.

FLINT, for the Committee.

On motion of Mr. Haymond, the rules were suspended to take from unfinished business Assembly Bill No. 558—An Act to provide for the payment of certain outstanding road warrants of Sacramento County.

Mr. Haymond offered an amendment to the bill.

Mr. Shirley moved to recommit the bill to the State Prison Committee, with instructions to report at one o'clock P. M.

Lost.

Mr. Haymond offered another amendment to the bill.

Mr. Searls moved to lay the bill on the table.

On which the ayes and noes were demanded by Messrs. Haymond, Craig, and Searls, and the motion was lost by a vote, as follows:

AYES—Messrs. Boring, Coleman, Crane, Dean, Evans, Flint, Fowler, Goodwin, Gwin, McCoppin, McGarvey, Murphy of Santa Clara, Ream, Satterwhite, Searls, and Shirley—16.
 NOES—Messrs. Beazell, Bones, Brown of Amador, Craig, Curtis, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, Montgomery, Nunan, Pierson, Rogers, and Whitney—17.

On motion of Mr. Haymond, the bill, with pending amendments, was referred to the Committee on State Prison, to report immediately after recess, and made a special order at that time.

Mr. Searls offered a resolution, as follows:

Resolved, That it will require three Senators to object to any bill.

Mr. Fowler moved to suspend the rules to adopt the resolution.

Lost.

At one o'clock and thirty-five minutes P. M., Mr. Fowler moved to adjourn.

On which the ayes and noes were demanded by Messrs. Fowler, Hilborn, and Hill, and the Senate refused by a vote, as follows:

AYES—Messrs. Beazell, Evans, Fowler, Goodwin, Hilborn, Hill, Murphy of Santa Clara, Pierson, Rogers, Satterwhite, Searls, and Whitney—12.

NOES—Messrs. Bones, Boring, Brown of Amador, Coleman, Craig, Crane, Curtis, Dean, Donovan, Flint, Gwin, Haymond, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Nunan, Ream, Shirley, and Smith—23.

RECESS.

At one o'clock and forty minutes P. M., on motion of Mr. Fowler, the Senate took a recess for one hour.

RE-ASSEMBLED.

At two o'clock and forty minutes P. M., the Senate re-assembled.
 President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Nunan, Pierson, Ream, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

Mr. Ream submitted a report, as follows:

SENATE CHAMBER,
 SACRAMENTO, March 30th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 638—An Act to provide for the payment of the indebtedness of the Snelling School District, in the County of Merced, State of California.

Also, Senate Joint Resolution No. 57—Relative to rifle teams at the Paris Exposition.

REAM, for the Committee.

Mr. McCoppin submitted the following:

WHEREAS, The San Francisco delegation recommended for adoption an amendment to Assembly Bill No. 153, which amendment struck out all after the enacting clause of said bill; and whereas, the Senate adopted said amendment as recommended, and passed said bill; and whereas, the indorsements upon said bill and the amendment fail to show said facts, and the bill has been enrolled and taken to the Governor without an enacting clause; therefore

Resolved by the Senate, the Assembly concurring, That his Excellency the Governor be and is hereby respectfully requested to return said bill to the Enrolling Committee of the Assembly, and that the Enrolling Clerk be and is hereby authorized and directed to insert an enacting clause in said Assembly Bill No. 153.

Adopted.

On adopting the resolution, the ayes and noes were demanded by Messrs. McCoppin, Craig, and Evans, and it was adopted by a vote, as follows:

AYES—Messrs. Beazell, Bones, Boring, Boyston, Brown of Amador, Coleman, Craig, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Ream, Searls, Shirley, Smith, and Whitney—30.

NOES—Mr. Pierson—1.

Mr. Fowler offered the following as an amendment to Joint Rule Number Fifteen:

Resolved by the Senate, the Assembly concurring, That Joint Rule of the Senate and Assembly, Number Fifteen, be stricken out from said Rules.

The Rule reads as follows: Rule 15—No bill or resolution that shall have passed the Assembly and Senate shall be presented to the Governor, for his approval, on the last day of the session.

Adopted.

Mr. Nunan submitted a report, as follows:

MR. PRESIDENT: The San Francisco delegation, to whom was referred Senate Bills Nos. 324, 350, and 23—report them back, and request that the authors have leave to withdraw the same.

Also, Senate Bill No. 286—Relative to conferring additional powers on the Board of Supervisors—report it back, and recommend its passage.

Also, Senate Bills Nos. 538, 649, and Assembly Bill No. 223—report them back without recommendation.

Also, Assembly Bill No. 119—Relative to water-rates—report the same back, and recommend that the Senate do not recede from its amendments.

E. NUNAN, Chairman.

Mr. Shirley submitted a report, as follows:

MR. PRESIDENT: The Committee on State Prison and Prison Buildings, to whom was referred substitute for Assembly Bill No. 22—An Act to provide for the completion of the Branch State Prison, at Folsom—report the same back, and that a majority of the Committee recommend that the whole subject matter be indefinitely postponed.

PAUL SHIRLEY, Chairman.

The bill was taken up as a special order.

Mr. McGarvey moved to lay the bill on the table.

On which the ayes and noes were demanded by Messrs. Haymond, Brown of El Dorado, and Craig, and the Senate refused by a vote, as follows:

AYES—Messrs. Beazell, Boring, Boyston, Coleman, Dean, Goodwin, Gwin, McGarvey, Montgomery, Ream, Satterwhite, Searls, and Smith—13.

NOES—Messrs. Bones, Brown of Amador, Brown of El Dorado, Craig, Crane, Curtis, Donovan, Evans, Flint, Fowler, Haymond, Hilborn, Hill, Lewis, McCarthy, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Shirley, and Whitney—22.

Mr. McGarvey moved to indefinitely postpone the bill.

On which the ayes and noes were demanded by the requisite number, and the Senate refused by a vote, as follows:

AYES—Messrs. Beazell, Boring, Coleman, Dean, Donovan, Fowler, Goodwin, Gwin, McGarvey, Montgomery, Murphy of San Luis Obispo, Ream, Satterwhite, Searls, Smith, and Whitney—16.

Also, Senate Bill No. 544—An Act to provide for the construction of a railroad from Ione, in the County of Amador, to a point in or near the Town of Sutter Creek or Jackson, in said county, and to regulate fares and freights thereon.

Also, Senate Bill No. 556—An Act to provide for the extermination of squirrels in the County of Contra Costa.

Also, Senate Bill No. 619—An Act to amend sections one thousand nine hundred and thirteen, one thousand nine hundred and sixty-two, and one thousand nine hundred and sixty-nine of the Political Code, and to add a new section thereto, and to amend section thirty-eight of an Act entitled an Act to amend the Political Code of the State of California, and other Acts concerning the National Guard.

Also, Senate Bill No. 650—An Act to authorize the Board of Supervisors of Monterey County to open a public highway, and construct and build a bridge across Salinas River.

Also, Senate Bill No. 624—An Act to provide a fund for the repairing of roads in San Luis Obispo County.

Also, Senate Bill No. 630—An Act to provide for the location, construction, and maintenance of public roads in the County of Amador.

Also, Senate Bill No. 231—An Act to confer further powers on the Common Council of the City of Santa Barbara.

Also, Senate Bill No. 643—An Act to amend section two hundred and sixty-one of the Political Code.

Also, Senate Bill No. 633—An Act to further define the judicial districts in the City and County of San Francisco.

Also, Senate Bill No. 550—An Act to provide a sufficient number of deputies for the County Assessor of Santa Cruz County.

Also, Senate Joint Resolution No. 54—In reference to a re-survey, by the government, of San Pablo and Suisun Bay.

Also, Senate Bill No. 626—An Act to authorize the Board of Supervisors of the City and County of San Francisco to make provision for any deficiency in the Street Department Fund of the fiscal year eighteen hundred and seventy-seven-seventy-eight.

Also, Senate Bill No. 627—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco.

Also, Senate Bill No. 669—An Act amendatory of and supplementary to an Act entitled an Act to improve and perfect the present sewerage system in the City of San Francisco.

Also, Senate Bill No. 636—An Act amendatory of and supplementary to an Act entitled an Act to amend an Act entitled an Act authorizing certain parties to improve a portion of King's River, and to erect booms therein, approved March eighteenth, eighteen hundred and seventy-two, approved March twenty-seventh, eighteen hundred and seventy-six.

Also, Senate Bill No. 625—An Act concerning roads and highways in San Luis Obispo County.

Also, Senate Bill No. 611—An Act to grant the right of way for a railroad track within the limits of the City and County of San Francisco.

Also, Senate Bill No. 234—An Act relating to advances made to agents intrusted with goods, and for the better protection of such advances.

Also, Senate Bill No. 66—An Act to amend sections two hundred and seventy-five and two hundred and seventy-nine of the Code of Civil Procedure, relating to attorneys and counselors-at-law.

Also, Senate Bill No. 586—An Act to authorize the Council of the City of Los Angeles to audit and pay to John S. Griffin the amount of a warrant, heretofore drawn in his favor.

Senate Bill No. 631—An Act to provide for the improvement of Van Ness Avenue in the City and County of San Francisco.

Also, Senate Bill No. 679—An Act in relation to certain streets in the Town of Alameda.

Also, Senate Bill No. 221—An Act for the protection of children, and to prevent and punish certain wrongs to children.

Also, Senate Bill No. 424—An Act to amend sections three and four of an Act entitled an Act to regulate the practice of pharmacy in the City and County of San Francisco, passed March twenty-eighth.

And, this day, at three o'clock and forty-five minutes P. M., presented the same to the Governor.

McCARTHY, Chairman.

ASSEMBLY MESSAGES.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER. }
SACRAMENTO, March 29th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twenty-eighth day of March, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 364—An Act to legalize the acts of the Board of Supervisors of Trinity County, in appointing Justices of the Peace for the townships of said county.

Assembly Bill No. 491—An Act concerning estrays and animals found running at large in the County of Sonoma.

Assembly Bill No. 829—An Act to amend an Act concerning roads and highways in the County of San Joaquin, approved March eighteenth, eighteen hundred and seventy-six.

Assembly Bill No. 834—An Act to amend section sixty of the Code of Civil Procedure, relative to the terms of the District Court of the Third Judicial District.

Assembly Bill No. 800—An Act to amend an Act entitled an Act to fix the salary of the Superintendent of Public Schools of the City of Oakland, and to limit the powers of the Board of Education of said city, approved March ninth, eighteen hundred and seventy-six.

Assembly Bill No. 835—An Act making appropriations for deficiencies for the twenty-eighth and twenty-ninth fiscal years, ending June thirtieth, eighteen hundred and seventy-eight.

Also, substitute for Assembly Bills Nos. 1 and 100—An Act for the improvement of certain public reservations in the City and County of San Francisco.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 29th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twenty-ninth day of March, A. D. eighteen hundred and seventy-eight, passed Senate Bill No. 643—An Act to amend section two hundred and sixty-one of the Political Code.

ROBERT C. PAGE, Chief Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 30th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the thirtieth day of March, A. D. eighteen hundred and seventy-eight, concurred in Senate amendments to Assembly Bills Nos. 425 and 153.

Also, passed Assembly Bill No. 578—An Act to reorganize and simplify the school system of public education of the State of California.

Assembly Bill No. 539—An Act to amend section three thousand five hundred and seventy-two of the Political Code, in regard to the restitution of money paid for land not the property of the State.

Also, passed substitute for Senate Bills Nos. 109 and 293—An Act to amend the Civil Code, concerning the mortgage of growing crops.

Also, adopted Assembly Concurrent Resolution No. 76—Relative to Assembly Bill No. 732.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 30th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twenty-ninth day of March, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 324—An Act for the relief of W. S. Safford.

And, on this day, passed Senate Bill No. 183—An Act to provide for the payment of John Sutherland, Jr., for his services in destroying the Vasquez banditti.

Senate Bill No. 303—An Act to add a section to Title Twelve, Part Four, of the First Division of the Civil Code.

Assembly Bill No. 854—An Act appropriating money for the conservation of the public peace.

Senate Bill No. 613—An Act to amend an Act entitled an Act for the relief of purchasers of State lands, approved March twenty-seventh, eighteen hundred and seventy-two.

Amended and passed Senate Bill No. 560—An Act to confer additional powers on the Board of Supervisors of the City and County of San Francisco, in relation to accepted streets.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 30th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, concurred in Senate amendments numbers two, three, four, and five, and refused to concur in amendments numbers one and six to Assembly Bill No. 764—An Act making appropriations for the support of the Government of the State of California for the thirtieth and thirty-first fiscal years.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 30th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 663—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco.

Senate Bill No. 653—An Act for the relief of indigent sailors and soldiers, veterans of the Mexican war, and their widows, in this State.

Senate Bill No. 214—An Act in relation to the House of Correction of the City and County of San Francisco.

Senate Joint Resolution No. 59—Relative to the restoration of Major and Brevet-Colonel Joseph B. Collins to his former position in the Army of the United States.

Senate Bill No. 682—An Act to amend section one thousand seven hundred and ninety of the Political Code.

ROBERT C. PAGE, Chief Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 30th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the thirtieth day of March, A. D. eighteen hundred and seventy-eight, amended and passed Senate Bill No. 620—An Act to amend the Political and Penal Codes, concerning public printing, and for other purposes, approved April third, eighteen hundred and seventy-six.

Passed Senate Bill No. 621—An Act entitled an Act to establish a Political Code, approved March eleventh, eighteen hundred and seventy-six.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 30th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twenty-ninth day of March, A. D. eighteen hundred and seventy-eight, indefinitely postponed Senate Bill No. 140—An Act to amend an Act entitled an Act for the appointment of Inspector of Stationary Steam-boilers and Steam-tanks, and for the better security of life and property in the City and County of San Francisco, approved March twenty-seventh, eighteen hundred and seventy-six.

And, on this day, concurred in Senate Concurrent Resolution No. 56—Relating to correcting an error in Senate Bill No. 503.

Also, passed Senate Bill No. 626—An Act to authorize the Board of Supervisors of the City and County of San Francisco to make provisions for any deficiencies in the Street Department Fund of the fiscal year eighteen hundred and seventy-seven-eight.

Also, Senate Bill No. 627—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco.

Also, Senate Bill No. 66—An Act to amend sections two hundred and seventy-five and two hundred and seventy-nine of the Code of Civil Procedure, relating to attorneys-at-law.

Amended and passed Senate Bill No. 357—An Act to provide for the appointment of an additional Deputy Clerk for the Justices' Court of the City and County of San Francisco.

Senate Bill No. 616—An Act to encourage irrigation in Sierra County.

Senate Bill No. 525—An Act to authorize and empower the Board of Supervisors of the City and County of San Francisco to sell certain real estate.

Senate Bill No. 377—An Act to provide for a levee, drainage, and road district in the County of Yolo.

Senate Bill No. 647—An Act granting additional powers on the Board of Supervisors of the County of Santa Cruz.

Senate Bill No. 493—An Act to amend section four thousand four hundred and twenty-five of the Political Code.

Senate Bill No. 201—An Act to fix the compensation of the Under-Sheriff, Deputy Sheriff, and County Jailers of Alameda County.

Also, passed Senate Bill No. 631—An Act to provide for the improvement of Van Ness Avenue, in the City and County of San Francisco.

Senate Bill No. 560—An Act to confer additional powers on the Board of Supervisors of the City and County of San Francisco, in relation to accepted streets.

Senate Bill No. 609—An Act to amend an Act entitled an Act to district the City of Oakland into wards, approved February nineteenth, eighteen hundred and seventy-six.

Senate Bill No. 628—An Act to authorize the Board of Supervisors of Yolo County to levy taxes for county purposes.

Senate Bill No. 661—An Act relative to the Board of Supervisors of Sacramento County.

Senate Bill No. 667—An Act to authorize the Board of Supervisors of Santa Clara County to audit and pay certain claims.

Senate Bill No. 611—An Act to grant the right of way for a railroad track within the City and County of San Francisco.

Senate Bill No. 368—An Act to quiet title to land in Yolo County.

Senate Bill No. 424—An Act to amend sections three and four of an Act to regulate the practice of pharmacy in the City and County of San Francisco, approved March twenty-eighth, eighteen hundred and seventy-two, and amended March thirty first, eighteen hundred and seventy-six.

Senate Bill No. 664—An Act concerning the macadamizing of Tyler Street, from Market Street to Devisadero Street, and to prohibit the laying down of railroad tracks thereon.

Senate Bill No. 658—An Act to provide for the construction of a roadway on Bay Farm Island, in the Town of Alameda.

Senate Bill No. 570—An Act to amend an Act entitled an Act to provide for the incorporation of railroads, and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-one.

Also, amended and passed Senate Bill No. 494—An Act to amend section three thousand four hundred and eighty-nine of the Political Code.

Also, passed, and ordered transmitted without engrossment, Assembly Bill No. 845—An Act to regulate the apportionment of the Common School Fund of the County of Alameda, so far as the same relates to the City of Oakland and Town of Alameda.

Assembly Bill No. 847—An Act to amend an Act entitled an Act concerning roads and highways in the County of Yuba, approved March twentieth, eighteen hundred and seventy-four.

Assembly Bill No. 818—An Act to fix the salary of the Clerk of the Mayor of the City and County of San Francisco, and to provide for the payment thereof.

Also, Assembly Bill No. 850—An Act to amend an Act entitled an Act to authorize the City and County of San Francisco to provide and maintain public water-works for said city and county, and to condemn and purchase private property therefor, approved March twenty-seventh, eighteen hundred and seventy-six.

Assembly Bill No. 852—An Act to amend an Act entitled an Act to provide for the purchase of a site, and the erection of a Court-house and Jail thereon, in the County of Monterey, approved January twenty-second, eighteen hundred and seventy-eight.

Assembly Bill No. 525—An Act making an appropriation for the benefit of the Southern California Horticultural Society.

Assembly Bill No. 758—An Act to repeal an Act entitled an Act to create an irrigation district, to be called the West Side Irrigation District, and to transfer certain rights conferred thereby.

Assembly Bill No. 767—An Act concerning roads and highways in the County of Monterey.

And, on this day, passed Senate Bill No. 254—An Act relating to advances bona fide made to agents entrusted with goods, and for the better protection of such advances.

Assembly Bill No. 774—An Act authorizing the State Board of Examiners to allow certain claims against the State.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER.

SACRAMENTO, March 30th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the thirtieth day of March, A. D. eighteen hundred and seventy-eight, passed Assembly Joint Resolution No. 73—Relative to Indian war bonds.

Adopted Assembly Concurrent Resolution No. 75—Relative to the return of Assembly Bill No. 432.

Also, passed Assembly Bill No. 853—An Act to make the Auditor of Solano County ex officio Clerk of the Board of Supervisors of said county.

Also, adopted Assembly Concurrent Resolution No. 74—Relative to Assembly Bill No. 74.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER.

SACRAMENTO, March 30th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, passed, and ordered transmitted without engrossment, Assembly Bill No. 650—An Act to amend sections three thousand seven hundred and sixty-six and four thousand and forty-seven of the Political Code, relating to publication of delinquent tax lists.

Assembly Joint Resolution No. 56—Concerning the Atlantic and Pacific Railroads land grants.

Also, passed Senate Bill No. 276—An Act to add another section to the Penal Code, to be designated as section five hundred and ninety-two.

Senate Bill No. 418—An Act to amend section six hundred and two of the Penal Code.

Senate Bill No. 571—An Act to repeal section four hundred and seventy-one of the Civil Code.

Senate Bill No. 450—An Act to enable railroad companies to complete their railroads.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER.

SACRAMENTO, March 30th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, concurred in Senate Concurrent Resolution No. 60, and Senate Concurrent Resolution No. 61—Relative to an amendment to the Joint Rules of the Senate and Assembly.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 30th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, indefinitely postponed Senate Bill No. 574—An Act to amend section six hundred and twenty-eight of the Civil Code.

Amended and passed Senate Bill No. 135—An Act to add two new sections to the Civil Code, to be numbered sections two hundred and thirty-one and two hundred and thirty-two.

Passed Senate Bill No. 292—An Act to amend section three hundred and twenty-five of the Code of Civil Procedure.

Senate Bill No. 527—An Act to amend a certain section of the Civil Code, relating to corporations.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 30th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, amended and passed Senate Bill No. 260—An Act to amend sections numbered one thousand three hundred and fifty, one thousand three hundred and sixty-five, one thousand three hundred and sixty-nine, and one thousand three hundred and seventy-nine of the Code of Civil Procedure.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 30th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the thirtieth day of March, A. D. eighteen hundred and seventy-eight, passed Assembly Bill No. 262—An Act to change and establish the boundary line between the Counties of Sacramento and San Joaquin.

And Senate Bill No. 334—An Act to appropriate twenty-five thousand dollars, to be used conjointly with a like sum of twenty-five thousand dollars, donated by H. D. Bacon, for the construction of a building to be erected on the State University grounds, in Alameda County, for a library and art gallery.

R. C. PAGE, Chief Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 30th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, amended and passed Senate Bill No. 274—An Act to amend section one thousand one hundred and sixty of the Civil Code.

Passed Senate Bill No. 533—An Act for the relief of A. D. Splivalo, J. H. Coleman, and Juan de Toro.

Senate Bill No. 662—An Act to authorize the managers of orphan asylums to give their consent to the adoption of certain children under their care.

Senate Bill No. 646—An Act to create a Commission to examine and report the condition of certain funds.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 30th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Speaker, on this day, appointed as Committee of Free Conference on Senate Bill No. 155, Senate Bill No. 154, and substitute for Senate Bills Nos. 153, 156, and 195, Messrs. Tuttle, Waters, and Coffee.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 834, above reported.

Read first and second times.

Rules suspended, read third time, and passed.

Assembly Bill No. 800, above reported.

Read first and second times.

Rules suspended, read third time, and passed.

Assembly Concurrent Resolution No. 75, above reported.

Concurred in.

Assembly Bill No. 854, above reported.

Read first and second times.

Rules suspended, and, by unanimous consent, read third time, and passed.

Assembly Bill No. 769, heretofore reported.

Assembly receded from its amendments to the bill.

Assembly Bill No. 262, above reported.

Read first and second times, and referred to the delegation.

Senate Bills Nos. 620, 493, 647, 377, 616, 357, 661, 560, 274, and 260, and substitutes for Nos. 201, 494, and 525, above reported, with Assembly amendments.

Assembly amendments to each bill concurred in.

Assembly Bill No. 764, above reported.

Mr. Evans moved that the Senate adhere to its amendments to the bill, on which the ayes and noes were demanded by the requisite number, and the Senate adhered by a vote, as follows:

AYES—Messrs. Beazell, Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Murphy of San Francisco, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Searls, Smith, and Whitney—31.

NOES—Messrs. Coleman, Craig, Hill, Howe, Montgomery, and Satterwhite—6.

On motion of Mr. McCoppin, a Committee of Free Conference was ordered on the disagreeing vote, and the President appointed Messrs. McCoppin, Haymond, and Gwin, as the committee on the part of the Senate.

On motion of Mr. Lambert, Senate Bill No. 377 was referred to the Yolo County delegation.

Mr. Flint submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, March 30th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 664—An Act concerning the macadamizing, etc., of Tyler Street, from Market Street to Devisadero Street, and to prohibit the laying down of railroad tracks thereon.

Also, Senate Bill No. 658—An Act to provide for the construction of a roadway on Bay Farm Island, in the Town of Alameda.

Also, Senate Bill No. 667—An Act to authorize the Board of Supervisors of Santa Clara County to audit and pay certain claims.

Also, Senate Bill No. 621—An Act to amend an Act entitled an Act to establish a Political Code, approved March eleventh, eighteen hundred and seventy-six.

Also, Senate Bill No. 628—An Act to authorize the Board of Supervisors of Yolo County to levy taxes for county purposes.

Also, Senate Bill No. 609—An Act to amend an Act entitled an Act to district the City of Oakland into wards, approved February nineteenth, eighteen hundred and seventy-six.

THOMAS FLINT, for Committee.

Mr. McCarthy submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, March 30th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 225—An Act regulating the collection of poll tax in Merced County.

Also, Senate Bill No. 222—An Act relating to children.

Also, Senate Bill No. 368—An Act to quiet title to land in the County of Yolo.

Also, Senate Bill No. 576—An Act to amend an Act entitled an Act to provide for the incorporation of railroad companies, etc.

Also, Senate Bill No. 623—An Act to amend an Act entitled an Act to confer further powers on the Board of Trustees of the City of Sacramento.

Also, Senate Bill No. 672—An Act to confer further powers on the Board of Regents of the University of the State of California.

And, this day, at four o'clock and fifty-five minutes P. M., presented the same to the Governor.

McCARTHY, Chairman.

By Mr. Flint:

SENATE CHAMBER,
SACRAMENTO, March 30th, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Joint Resolution—Relative to the restoration of Major and Brevet-Colonel Joseph B. Collins to his former position in the Army of the United States.

Also, Senate Bill No. 682—An Act to amend section one thousand seven hundred and ninety of the Political Code.

Also, Senate Bill No. 663—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco.

Also, Senate Bill No. 653—An Act for the relief of indigent sailors and soldiers, veterans of the Mexican war, and their widows, in this State.

Also, Senate Bill No. 613—An Act to amend an Act entitled an Act for the relief of purchasers of State lands, approved March twenty-seventh, eighteen hundred and seventy-two.

FLINT, for the Committee.

At five o'clock and thirty minutes P. M., Mr. Pierson moved to adjourn.

On which the ayes and noes were demanded by Messrs. Smith, Pierson, and Lambert, and the Senate refused by a vote, as follows:

AYES—Messrs. Beazell, Brown of El Dorado, Coleman, Curtis, Dean, Evans, Fowler, Goodwin, Gwin, Hilborn, Hill, McGarvey, Pierson, Satterwhite, Searls, and Whitney—16.

NOES—Messrs. Bones, Boring, Boyston, Brown of Amador, Craig, Crane, Donovan, Flint, Haymond, Howe, Lambert, Lewis, McCarthy, McCoppin, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Nunan, Ream, Rogers, and Smith—21.

RECESS.

At five o'clock and thirty-five minutes P. M., on motion of Mr. Craig, the Senate took a recess until seven o'clock and thirty minutes P. M.

RE-ASSEMBLED.

At seven o'clock and thirty minutes P. M., the Senate re-assembled. President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boring, Boyston, Brown of El Dorado, Craig, Crane, Curtis, Dean, Evans, Flint, Goodwin, Hilborn, Hill, Howe, Lambert, McCarthy, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

Mr. Goodwin introduced a bill, to be numbered Senate Bill No. 684—An Act to grant further powers to the Board of Supervisors of the City and County of San Francisco.

Read first and second times, and made a special order for Monday evening, at —.

Mr. B. D. Murphy submitted a report, as follows:

MR. PRESIDENT: The Judiciary Committee, to whom was referred Senate Bill No. 629—An Act to amend section seven hundred and fifty-six, seven hundred and fifty-seven, seven hundred and fifty-nine, seven hundred and sixty, and seven hundred and ninety-eight of the Code of Civil Procedure—have had the same under consideration, and report it back with an amendment, and recommend its passage as amended.

MURPHY of Santa Clara.

Rules suspended, and the bill taken up.

Amendment concurred in.

Considered engrossed, read third time, and passed.

On motion of Mr. Lambert, the rules were suspended to take from the general file substitute for Assembly Bill No. 581.

The bill was made a special order for Monday next, after reading of Journal.

CONSIDERATION OF ASSEMBLY MESSAGES RESUMED.

Assembly Bill No. 178, above reported.

The Senate receded from all its amendments to the bill but the last one.

Assembly Bill No. 537, above reported.

Read first and second times.

Rules suspended, read third time, and passed.

Assembly Concurrent Resolution No. 76, above reported.

Concurred in.

Assembly Concurrent Resolution No. 74, above reported.

Concurred in.

Assembly Joint Resolution No. 73, above reported.

Read first and second times.

Rules suspended, read third time, and passed.

Assembly Bill No. 580, above reported.

Read first and second times.

On a motion to suspend the rules, to consider the bill on its third reading, the ayes and noes were demanded by the requisite number, and the rules were suspended by a vote, as follows:

AYES—Messrs. Beazell, Boring, Boyston, Brown of Amador, Craig, Curtis, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hill, Howe, Lewis, McCarthy, McCoppin, Montgomery, Murphy of San Francisco, Murphy of Santa Clara, Pierson, Rogers, Satterwhite, and Shirley—24.

NOES—Messrs. Bones, Coleman, Dean, Donovan, Murphy of San Luis Obispo, Nunan, Ream, and Searls—8.

Read third time.

On the passage of the bill, the ayes and noes were demanded by the requisite number, and the bill passed by a vote, as follows:

AYES—Messrs. Beazell, Boyston, Brown of Amador, Craig, Curtis, Evans, Fowler, Goodwin, Gwin, Haymond, Lewis, McCarthy, McCoppin, Montgomery, Murphy of San Francisco, Pierson, Rogers, Satterwhite, and Shirley—19.

NOES—Messrs. Bones, Coleman, Dean, Donovan, Flint, Hilborn, Howe, McGarvey, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Ream, and Searls—13.

Mr. Dean gave notice of a motion to reconsider the vote.

Objections were made that Mr. Dean did not vote with the majority, and therefore was not entitled to give the notice; and also, that under the rules, no notice could be given to reconsider a vote to-day.

The Chair sustained the objections, and decided that under Rule Thirty-five the notice could not be recorded.

ADJOURNMENT.

At nine o'clock and twenty minutes P. M., Mr. Fowler moved to adjourn.

On which the ayes and noes were demanded by Messrs. Donovan, Beazell, and Smith, and the motion prevailed by a vote, as follows:

AYES—Messrs. Beazell, Boring, Boyston, Brown of El Dorado, Coleman, Curtis, Evans, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hill, Lewis, Murphy of San Francisco, Murphy of San Luis Obispo, Pierson, Satterwhite, Searls, Shirley, and Whitney—21.

NOES—Messrs. Bones, Brown of Amador, Craig, Crane, Dean, Donovan, Flint, Howe, Lambert, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of Santa Clara, Nunan, Ream, Rogers, and Smith—18.

When the Chair declared the Senate adjourned until Monday, April first, at eleven o'clock A. M.

IN SENATE.

SENATE CHAMBER, }
Monday, April 1st, 1878. }

The Senate met pursuant to adjournment.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, Smith, and Whitney.

Quorum present.

The Journal of Saturday last approved without reading.

Mr. Rogers, for the Committee on Contingent Expenses, verbally reported bills audited by said committee, in a resolution, as follows:

Resolved, That there be paid Payot, Upham & Co., ten dollars and thirty-two cents, and to A. L. Bancroft & Co., ten dollars and eighty cents, for books furnished the State Printer, payable out of the Senate Contingent Fund, as per the bills allowed by the Committee on Contingent Expenses.

Adopted.

Also:

Resolved, That the sum of one hundred and twenty dollars be allowed John Conrad, for repairing and taking care of the clocks in the Senate Chamber during the present session, payable out of the Contingent Fund of the Senate.

On motion of Mr. Whitney, the resolution was indefinitely postponed.

On motion of Mr. Craig, the rules were suspended, to take from the general file Senate Bill No. 395—An Act to amend an Act entitled an Act to provide for the support of the common schools of the City and County of San Francisco, and to define the powers and duties of the Board of Education thereof, approved April first, eighteen hundred and seventy-two.

Rules further suspended, considered engrossed, read third time, and passed.

Mr. Goodwin offered a resolution, as follows:

Resolved, That the Assistant Secretaries of the Senate be allowed two weeks per diem, for services other than their regular duties, rendered during the session, to be paid out of the appropriation for the contingent expenses of the Senate.

Rules suspended, and the resolution adopted.

REPORTS.

Mr. McGarvey submitted a report, as follows:

MR. PRESIDENT: Your Committee of Free Conference, to which has been referred the disagreement between the Senate and Assembly upon Senate substitute for Senate Bills Nos. 153, 154, 155, and 156, begs leave to report that it has agreed to the following adjustment of said differences, and recommends the following action to be taken thereon, to wit:

That the Assembly recede from amendments numbers one, two, three, four, five, and six, to substitute Senate Bill No. 155, and the Senate concur in amendment number seven to the same.

That as to substitute for Senate Bills Nos. 153 and 156, Senate concur in amendments numbers one, two, five, six, seven, eight, ten, eleven, twelve, thirteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, and twenty-one, and Assembly recede from amendments numbers three, four, nine, and fourteen.

That as to substitute for Senate Bill No. 154, Assembly recede from amendments numbers one and two, and Senate concur in amendments numbers three and four.

McGARVEY,
HAYMOND,
PIERSON.

April 1st, 1878.

The report was adopted.

By Mr. Searls:

MR. PRESIDENT: The Committee on Corporations have had under consideration Senate Bill No. 372—An Act to disincorporate a portion of the City of Visalia, Tulare County, California.

And also, Assembly Bill No. 496—An Act to authorize and empower the Board of Supervisors of the County of San Mateo to take and subscribe to the capital stock of a railroad in said county, to be constructed from the City and County of San Francisco to the City of Santa Cruz, and to provide payment for the same, and other matters relating thereto—and report both of said bills back without recommendation.

NILES SEARLS, Chairman.

Mr. Gwin, for the delegation, verbally reported Assembly Bill No. 472 without recommendation.

By Mr. Ream:

SENATE CHAMBER,
SACRAMENTO, April 1st, 1878. }

MR. PRESIDENT: The Hospital Committee, to whom was referred Senate Bill No. 666—have had the same under consideration, report back, and a majority recommend that it do not pass.

D. REAM, Chairman.

By Mr. Flint:

MR. PRESIDENT: The Monterey delegation asks leave to report back Assembly Bills Nos. 751 and 801, and recommends that they be placed upon the General File.

FLINT, for Delegation.

By Mr. McCoppin:

MR. PRESIDENT: Your Committee on Free Conference on Assembly Bill No. 764 report the same back without agreement, and ask to be discharged, and recommend that another committee be appointed.

MONTAGUE,
WILSON,
NOTT, Chairman.
HAYMOND,
McCOPPIN, Chairman.
GWIN.

The report was adopted, and the President appointed another committee, consisting of Messrs. B. D. Murphy, Searls, and Ream.

On motion of Mr. Craig, Senate Bill No. 594, and, on motion of Mr. B. D. Murphy, substitute for Senate Bill No. 629, and, on motion of Mr. Pierson, Senate Bill No. 414, were ordered engrossed out of their order.

Mr. McCarthy submitted reports, as follows:

SENATE CHAMBER,
SACRAMENTO, March 30th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 357—An Act to provide for the appointment of an additional Deputy Clerk for the Justices' Court of the City and County of San Francisco.

Also, Senate Bill No. 613—An Act to amend an Act entitled an Act for the relief of purchasers of State lands, approved March twenty-seventh, eighteen hundred and seventy-two.

Also, Senate Bill No. 658—An Act to provide for the construction of a roadway on Bay Farm Island, in the Town of Alameda.

And, this day, at nine o'clock, presented the same to the Governor.

McCARTHY, Chairman.

SENATE CHAMBER,
SACRAMENTO, March 30th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined and find correctly enrolled—Senate Bill No. 634—An Act to amend an Act entitled an Act to re-incorporate the City of San José, approved March seventeen, eighteen hundred and seventy-four.

Also, Senate Bill No. 183—An Act to provide for the payment of John Sutherland, Jr., for his services in destroying the Vasquez banditti.

Also, Senate Joint Resolution No. 57—Relative to rifle teams at the Paris Exposition.

Also, Senate Bill No. 656—An Act to amend an Act entitled an Act to fix the terms of the County Courts, and Probate Court of the County of Merced, approved March eleventh, eighteen hundred and seventy-six.

Also, Senate Bill No. 580—An Act to incorporate the Town of Dixon.

Also, Senate Bill No. 303—An Act to add a section to Title Twelfth of Part Four of the first division of the Civil Code.

Also, Senate Bill No. 659—An Act to ratify certain contracts and ordinances of the Council of the City of Los Angeles.

Also, Senate Bill No. 678—An Act amendatory of and supplementary to an Act entitled an Act to provide for the construction and repair of bridges in the County of Mendocino.

Also, Senate Bill No. 664—An Act concerning the macadamizing of Tyler Street, from Market Street to Devisadero Street, and to prohibit the laying down of railroad tracts thereon.

Also, Senate Bill No. 260—An Act to amend certain sections numbers one thousand three hundred and fifty, one thousand three hundred and sixty-five, one thousand three hundred and sixty-nine, and one thousand three hundred and seventy-nine of the Code of Civil Procedure.

Also, Senate Bill No. 621—An Act to amend an Act entitled an Act to establish a Political Code, approved March eleven, eighteen hundred and seventy-six.

Also, substitute for Senate Bills Nos. 109 and 293—An Act to amend the Civil Code concerning the mortgage of ground crops.

And this day, at eight o'clock and thirty minutes, presented the same to the Governor.

McCARTHY, Chairman.

SENATE CHAMBER,
SACRAMENTO, March 30th, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 628—An Act to authorize the Board of Supervisors of Yolo County to levy taxes for county purposes.

Also, Senate Bill No. 609—An Act to amend an Act entitled an Act to district the City of Oakland into wards, approved February nineteenth, eighteen hundred and seventy-six.

Also, Senate Bill No. 653—An Act for the relief of indigent sailors and soldiers, veterans of the Mexican War, and their widows, in this State.

Also, Senate Bill No. 667—An Act to authorize the Board of Supervisors of Santa Clara County to audit and pay certain claims.

Also, Senate Bill No. 663—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco.

Also, Senate Bill No. 682—An Act to amend section one thousand seven hundred and ninety of the Political Code.

Also, Senate Joint Resolution No. 59—Relative to the restoration of Major and Brevet-Colonel Joseph B. Collins to his former position in the Army of the United States.

Also, Senate Bill No. 63—An Act to provide for the payment of the indebtedness of Snelling School District, in the County of Merced, State of California.

Also, Senate Bill No. 418—An Act to amend section six hundred and two of the Penal Code.

And, this day, at — o'clock, presented the same to the Governor.

McCARTHY, Chairman.

MR. PRESIDENT: Your Committee on Enrollment have examined and find correctly enrolled Senate Bill No. 533—An Act for the relief of A. D. Splivalo, Juan de Toro and J. H. Coleman.

Also, Senate Bill No. 661—An Act relative to the Board of Supervisors of Sacramento.

And, this day, at eleven o'clock and forty-five minutes A. M., presented the same to the Governor.

McCARTHY, Chairman.

MR. PRESIDENT: Your Committee on Enrollment have examined and find correctly enrolled Senate Bill No. 494—An Act to amend section three thousand four hundred and eighty-nine of the Political Code.

Senate Bill No. 606—An Act to authorize William Hook and his associates and assigns to construct a canal for shipping purposes in Contra Costa County.

Senate Bill No. 276—An Act to add another section to the Penal Code, to be designated as section five hundred and ninety-two.

Senate Bill No. 274—An Act to amend section one thousand one hundred and sixty of the Civil Code.

Substitute for Senate Bill No. 201—An Act to fix the compensation of the Under-Sheriff, Deputy Sheriffs, and County Jailers of Alameda County.

Senate Bill No. 571—An Act to repeal section four hundred and seventy-one of the Civil Code.

Senate Bill No. 450—An Act to enable railroad companies to complete their railroads.

Senate Bill No. 496—An Act to establish a public pound in the Yosemite Valley.

Senate Bill No. 460—An Act for the improvement and preservation of the Yosemite Valley and the Mariposa Big Tree Grove.

Also, Senate Bill No. 292—An Act to amend section three hundred and twenty-five of the Code of Civil Procedure.

Also, Senate Bill No. 214—An Act in relation to the House of Correction of the City and County of San Francisco.

Also, Senate Bill No. 620—An Act to amend the Political and Penal Codes concerning public printing, and for other purposes, approved April third, eighteen hundred and seventy-six.

Also, Senate Bill No. 334—An Act to appropriate twenty-five thousand dollars, to be used conjointly with a like sum of twenty-five thousand dollars donated by H. D. Bacon, for the construction of a building to be erected on the State University grounds, in Alameda County, for a library and art gallery.

Also, Senate Bill No. 646—An Act to create a Commission to examine and report the condition of certain funds.

Also, Senate Bill No. —.—An Act to amend the Political and Penal Codes concerning public printing, and for other purposes, approved April third, eighteen hundred and seventy-six.

And, this day, at eleven o'clock A. M., presented the same to the Governor.

McCARTHY, Chairman.

At eleven o'clock and forty minutes A. M., Mr. Lewis moved that the Senate take a recess until three o'clock P. M.

On which the ayes and noes were demanded by Messrs. Craig, McCoppin, and Beazell, and the Senate refused by a vote, as follows:

AYES—Messrs. Beazell, Brown of Amador, Brown of El Dorado, Coleman, Crane, Evans, Goodwin, Hilborn, Hall, Lewis, McCarthy, Murphy of San Luis Obispo, Murphy of Santa Clara, Pierson, Satterwhite, Searls, Shirley, and Whitney—18.

NOES—Messrs. Bones, Boyston, Craig, Curtis, Dean, Donovan, Flint, Fowler, Gwin, Haymond, Howe, Lambert, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Nunan, Ream, Rogers, and Smith—20.

Mr. Flint submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, April 1st, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined and find correctly engrossed, Senate Bill No. 214—An Act in relation to the House of Correction of the City and County of San Francisco.

Also, substitute for Senate Bill No. 525—An Act to authorize and empower the Board of Education of the City and County of San Francisco to sell certain real estate.

Also, Senate Bill No. 661—An Act relative to the Board of Supervisors of Sacramento County.

Also, Senate Bill No. 560—An Act to confer additional powers on the Board of Supervisors of the City and County of San Francisco, in relation to accepted streets.

Also, Senate Bill No. 533—An Act for the relief of A. D. Splivalo, J. H. Coleman, and Juan de Toro.

Also, Senate Bill No. 646—An Act to create a Commission to examine and report the condition of certain funds.

Also, Senate Bill No. 662—An Act to authorize the managers of orphan asylums to give their consent to the adoption of certain children under their care.

Also, Senate Bill No. 334—An Act to appropriate twenty-five thousand dollars, to be used jointly with a like sum of twenty-five thousand dollars donated by H. D. Bacon, for the construction of a building to be erected on the State University grounds, in Alameda County, for a library and art gallery.

Also, Senate Bill No. 527—An Act to amend a certain section of the Civil Code, relating to corporations.

Also, Senate Bill No. 647—An Act granting additional power to the Board of Supervisors of the County of Santa Cruz.

Also, Senate Bill No. 493—An Act to amend section four thousand four hundred and twenty-five of the Political Code.

Also, Senate Bill No. 450—An Act to enable railroad companies to complete their railroads.

FLINT, for Committee.

ASSEMBLY MESSAGES.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, March 30th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 606—An Act to authorize William Hooke, and his associates and assigns, to construct a canal for shipping purposes in Contra Costa County.

Senate Bill No. 670—An Act to authorize the Board of Supervisors of Amador County to declare that portion of the Amador and Nevada Wagon Road, which lies in Amador County, a toll road.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 30th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 638—An Act to amend an Act entitled an Act to provide for the future management of the Napa State Asylum for the Insane, approved March sixth, eighteen hundred and seventy-six.

Assembly Bill No. 841—An Act to amend section two thousand seven hundred and six of the Political Code.

Assembly Bill No. 846—An Act to define the location of and to legalize the name of Fisherman's Peak.

And indefinitely postponed Senate Bill No. 244—An Act to provide for the payment by the State of California of the costs in certain criminal actions.

Also, Senate Bill No. 426—An Act for the relief of purchasers of State lands.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, March 30th, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the twenty-ninth day of March, A. D. eighteen hundred and seventy-eight, passed and ordered to the Senate Assembly Bill No. 840—An Act to provide for the drainage of certain lands in the Counties of Colusa and Yolo.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, April 1st, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 414—An Act to amend the Penal Code.

Also, amended and passed Senate Bill No. 476—An Act to amend an Act entitled an Act for the improvement of the City of Sacramento, approved March eighth, eighteen hundred and seventy-six.

Also, passed and ordered transmitted without engrossment, Assembly Bill No. 828—An Act amendatory of and supplementary to an Act entitled an Act to confer additional powers on the Board of Supervisors of the City and County of San Francisco, to provide for the opening of Serpentine Avenue and the condemnation of private property therefor, approved March eighteenth, eighteen hundred and seventy-eight.

Passed Senate Bill No. 270—An Act to authorize certain payments by the Board of State Harbor Commissioners.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, April 1st, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, appointed Messrs. Tuttle, Garver, and Blake, as a Committee on Free Conference on Assembly Bill No. 764—An Act making appropriations for the support of the Government of the State of California for the thirtieth and thirty-first fiscal years.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, April 1st, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 629—An Act to amend sections seven hundred and fifty-six, seven hundred and fifty-seven, seven hundred and fifty-nine, seven hundred and sixty, and seven hundred and ninety-eight of the Code of Civil Procedure.

Also, Senate Joint Resolution No. 13—In reference to fixing the days for election of Presidential electors, and for the casting of their votes for President.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,
SACRAMENTO, April 1st, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the thirtieth day of March, A. D. eighteen hundred and seventy-eight, passed Senate Joint Resolution No. 50—In reference to Federal tax upon deposits in savings banks.

Senate Bill No. 164—An Act in relation to warehouse and wharfinger receipts, and other matters pertaining thereto.

Senate Bill No. 435—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code, relating to chattel mortgages.

Senate Bill No. 594—An Act to confer further powers on the Board of Supervisors of the City and County of San Francisco.

Amended and passed Senate Bill No. 205—An Act granting relief to taxpayers whose lands have been sold to the State.

Senate Bill No. 460—An Act for the improvement and preservation of the Yosemite Valley and Mariposa Big Tree Grove.

Senate Bill No. 496—An Act to establish a public pound in the Yosemite Valley.

Senate Bill No. 485—An Act to authorize the State Board of Harbor Commissioners to pay the claim of J. C. Smith.

Also, upon the reconsideration on Senate Bill No. 305—An Act to authorize certain appropriations of money by the Board of Supervisors of the City and County of San Francisco—which had been returned by the Governor with his objection, upon calling the roll the bill was passed by the constitutional majority.

And, on this day, adopted the report of the Committee on Free Conference on substitute for Senate Bills Nos. 153, 156, and 295.

Also, on Senate Bill No. 154.

Also, on Senate Bill No. 155.

Also, adopted the report of the Committee on Free Conference on Assembly Bill No. 964—An Act making appropriations for the support of the Government of the State of California, for the thirtieth and thirty-first fiscal years—and the committees were discharged.

Also, on this day, passed, and ordered transmitted without engrossment, Assembly Bill No. 856—An Act for the funding of the bonded indebtedness of El Dorado County.

Also, Assembly Concurrent Resolution No. 77—Relative to the indebtedness of Swamp Land Districts.

Also, passed Senate Bill No. 696—An Act to provide for the improvement of the Capitol grounds.

E. L. CRAWFORD, Assistant Clerk.

Assembly Bill No. 832, above reported.

Read first and second times.

Rules suspended, read third time, and passed.

Substitute for Assembly Bill No. 707, above reported.

Read first and second times.

Rules suspended, read third time, and passed.

Assembly Bill No. 840, above reported.

Read first and second times.

Rules suspended, read third time, and passed.

Assembly Bill No. 523, above reported.

Read first and second times.

Rules suspended, read third time, and passed.

Assembly Bill No. 324, above reported.

Read first and second times.

Rules suspended, read third time, and passed.

Assembly Bill No. 578, above reported.

Read first and second times, and referred to the Committee on Education.

Assembly Bill No. 774, above reported.

Read first and second times.

Rules suspended, read third time, and passed.

Assembly Bill No. 856, above reported.

Read first and second times.

Rules suspended, read third time, and passed.

Substitute for Assembly Bills 1 and 100, above reported.

Read first and second times, and referred to San Francisco delegation, with privilege to report at any time.

Senate Bills No. 135, 670, and 205, above reported.

Assembly amendments to each bill concurred in.

On motion of Mr. Lewis, the special order set for consideration after reading the Journal, was now taken up, to the exclusion of all other business, until three o'clock P. M., but reception of messages.

SPECIAL ORDER.

Substitute for Assembly Bill No. 581—An Act to create a drainage district, to be called the Sacramento River Drainage District, to establish a Board of Commissioners therefor, and to define their powers and duties.

Reported from Committee of the Whole with amendments.

Amendments concurred in.

Read third time.

On the passage of the bill the ayes and noes were demanded by Messrs. Hilborn, Haymond, and Lambert, and it passed by a vote, as follows:

AYES—Messrs. Boyston, Brown of Amador, Brown of El Dorado, Coleman, Crane, Curtis, Dean, Fowler, Gwin, Haymond, Howe, Lambert, Lewis, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Nunan, and Rogers—19.

NOES—Messrs. Flint, Hilborn, Hill, Murphy of San Luis Obispo, Satterwhite, and Whitney—6.

Bills were introduced, to be numbered as follows:

By Mr. McCoppin: Senate Bill No. 685—An Act to provide a Contingent Fund for the use of the Legislature.

Read first and second times.

Rules suspended, read third time, and passed.

Also, Senate Bill No. 686—An Act to amend an Act entitled an Act to enable the Board of Supervisors of the City and County of San

Francisco to increase the police force of said city and county, and provide for the appointment, regulation, and payment thereof, approved April first, eighteen hundred and seventy-eight.

Read first and second times.

Rules suspended, read third time, and passed.

Each bill ordered to the Assembly without engrossment.

SPECIAL ORDER—MONDAY APRIL FIRST, AT THREE O'CLOCK P. M.

Governor's message, announcing the appointment of certain officers by him, was now taken up, by general consent:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT.

To the Senate of the State of California:

I have the honor to inform your honorable body that I nominate the following named persons for the respective offices named, and respectfully request the Senate to consent to their appointment:

Henry George, vice self, as Inspector of Gas Meters.

J. Mora Moss, vice self, as a Trustee of the Asylum for the Deaf, Dumb, and Blind.

B. F. Tuttle, vice J. W. Foard, as Insurance Commissioner.

A. S. Hallidie, vice Wm. Meek, Horatio Stebbins, vice self, Jno. S. Hager, vice self, as Regents of the State University.

And E. J. Lewis, vice Geo. R. Vernon, resigned, as Major-General of the National Guard.

WILLIAM IRWIN, Governor.

CONSIDERATION OF GOVERNOR'S MESSAGE.

The Senate was considered in executive session.

Upon the question, "Will the Senate advise and consent to the appointment of Henry George, vice self, as Inspector of Gas Meters?"

The roll was called, resulting as follows:

AYES.—Messrs. Beazell, Bones, Boring, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCoppin, McGarvey, Montgomery, Nunan, Pierson, Rogers, Satterwhite, and Whitney—27.

NOES—None.

Whereupon the President announced the appointment of Henry George as Inspector of Gas Meters duly confirmed.

Upon the question, "Will the Senate advise and consent to the appointment of J. Mora Moss, vice self, as a Trustee of the Asylum for the Deaf, Dumb, and Blind?"

The roll was called, with the following result:

AYES.—Messrs. Beazell, Bones, Boring, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Gwin, Haymond, Howe, Lambert, Lewis, McCoppin, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Nunan, Pierson, Rogers, Satterwhite, and Whitney—27.

NOES—None.

Upon the question, "Will the Senate advise and consent to the appointment of B. F. Tuttle, vice J. W. Foard, as Insurance Commissioner?" the roll was called, resulting as follows:

AYES.—Messrs. Beazell, Bones, Boring, Brown of Amador, Coleman, Curtis, Dean, Donovan, Evans, Flint, Gwin, Haymond, Hilborn, Howe, Lambert, Lewis, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Nunan, Pierson, Rogers, Satterwhite, Smith, and Whitney—27.

NOES—Mr. Craig—1.

Whereupon the President announced that the appointment of B. F. Tuttle as Insurance Commissioner was duly confirmed.

Upon the question, "Will the Senate advise and consent to the appointments of A. S. Hallidie, vice William Meek, Horatio Stebbins, vice self, and John S. Hager, vice self, as Regents of the State University?" the roll was called, resulting as follows—all the appointments being voted on at the same time:

AYES—Messrs. Beazell, Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Curtis, Dean, Evans, Flint, Gwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Pierson, Rogers, Satterwhite, Smith, and Whitney—28.

NOES—None.

Whereupon the President announced that the appointments of A. S. Hallidie, Horatio Stebbins, and John S. Hager were each duly confirmed as Regents of the State University.

Mr. Rogers, for the Committee on Contingent Expenses, verbally reported sundry resolutions, heretofore referred to that committee, without recommendation.

RECESS.

At one o'clock and fifty minutes P. M., on motion of Mr. Evans, the Senate took a recess until three o'clock P. M.

RE-ASSEMBLED.

At three o'clock P. M., the Senate re-assembled.

President in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Beazell, Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Gwin, Haymond, Howe, Lambert, Lewis, McCarthy, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Ream, Rogers, Satterwhite, Searls, Shirley, and Whitney.

Quorum present.

Bills were introduced, to be numbered as follows:

By Mr. Beazell: Senate Bill No. 687—An Act to confer additional powers upon the Board of Trustees of the Town of Alameda.

Read first and second times.

Rules suspended, considered engrossed, read third time, and passed.

By Mr. Fowler: Senate Bill No. 688—An Act giving the consent of the Legislature to Ezra Carr, Superintendent of Public Instruction of the State of California, to absent himself from said State for a period not exceeding ninety days.

Read first and second times.

Rules suspended, considered engrossed, read third time, and passed.

Mr. B. D. Murphy, for the Committee of Free Conference on Assembly Bill No. 764, submitted a report, as follows:

MR. PRESIDENT: Your Committee on Free Conference, to whom was referred the matters of disagreement between the Senate and Assembly, in relation to Assembly Bill No. 764—An Act making appropriations for the support of the Government of the State of California, for the

thirtieth and thirty-first fiscal years—would respectfully report that we have agreed upon an amendment to said bill, which we herewith present, and recommend its adoption by the Senate.

MURPHY, of Santa Clara,
SEARLS,
D. REAM.

Amendments as follows:

Amend section five of the bill so as to make it read as follows: Section 5. The following sums of money are hereby appropriated to the objects and purposes herein expressed: Magdalen Asylum, at San Francisco, five thousand dollars; San Francisco Female Hospital, six thousand dollars; Protestant Episcopal Church Home, San Francisco, one thousand dollars; Old Woman's Home (Rincon Home), San Francisco County, fifteen hundred dollars; Little Sisters' Infant Shelter, San Francisco, one thousand dollars; Sisters of Mercy Hospital, Los Angeles, two thousand dollars; Howard Benevolent Association, Sacramento, two thousand five hundred dollars; Stockton Benevolent Association, one thousand dollars; Ladies' Benevolent Society of Placerville, one thousand dollars; St. Luke's Hospital, San Francisco, one thousand five hundred dollars; Scandinavian Ladies' Home, San Francisco, five hundred dollars; Ladies Relief Society, Sacramento, one thousand dollars; Vallejo Ladies' Benevolent Society, one thousand dollars; San José Ladies' Benevolent Society, two thousand dollars; San Diego Benevolent Society, one thousand dollars; Pacific Dispensary for Women and Children, San Francisco, one thousand dollars; Grass Valley Ladies' Relief Society, one thousand dollars; Nevada Benevolent Society, one thousand dollars; Ladies' Aid Relief Society, Petaluma, one thousand dollars; twenty-five hundred dollars to the Board of Directors of the State Prison, to be used by them in furnishing transportation to discharged prisoners from the Penitentiary to their homes, to be used in the discretion of the said Board of Directors, *provided*, that not more than fifteen dollars shall be furnished to any one prisoner; to the Ladies' Benevolent Society of Los Angeles, one thousand dollars; to the Youths' Directory, San Francisco, two thousand dollars; to the Los Angeles Free Dispensary, three hundred dollars.

On motion of Mr. Gwin, the report was received, and amendment concurred in.

Mr. Evans, for the delegation, verbally reported, recommending passage, Assembly Bill No. 262—An Act to change and reestablish the boundary line between the Counties of Sacramento and San Joaquin.

Rules suspended, and the bill read third time, and passed.

Mr. Murphy of San Luis Obispo verbally reported, recommending passage, Assembly Bill No. 825—An Act to regulate fees and fix the salaries and compensation of certain officers for the County of Santa Barbara.

Rules suspended, read third time, and passed.

The rules were suspended to take from the general file the following bills:

On motion of Mr. Donovan, substitute for Senate Bill No. 604—An Act for the relief of Peter Connolly.

Rules suspended, considered engrossed, read third time, and passed.

On motion of Mr. J. C. Murphy, substitute for Assembly Bill No. 394—An Act to encourage the mining industry, and to suppress stock gambling.

Mr. Murphy moved to suspend the rules to place the bill on its final passage.

On which the ayes and noes were demanded by the requisite number, and the Senate refused by a vote as follows:

AYES.—Messrs. Boyston, Brown of Amador, Coleman, Craig, Curtis, Dean, Gwin, Haymond, Murphy of San Francisco, Ream, Rogers, Searls, and Smith—13.

NOES.—Beazell, Bones, Boring, Brown of El Dorado, Crane, Donovan, Evans, Flint, Fowler, Goodwin, Hilborn, Hill, Howe, Lambert, Lewis, McCarthy, McCoppin, Metiarvey, Montgomery, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Satterwhite, Shirley, and Whitney—26.

REPORTS.

Reports were submitted, as follows:

By Mr. Whitney:

MR. PRESIDENT: The Sonoma delegation, to whom was referred Assembly Bill No. 414—An Act to authorize the City of Petaluma to provide and maintain water-works—have had the same under consideration, and herewith report it back, and recommend that it do not pass.

WHITNEY, for Delegation.

By Mr. McCarthy:

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 629—An Act to amend sections seven hundred and fifty-six, seven hundred and fifty-seven, seven hundred and fifty-nine, seven hundred and sixty, and seven hundred and ninety-eight.

And this day, at two o'clock and forty-five minutes, presented the same to the Governor.

MCCARTHY, Chairman.

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 414—An Act to amend the Penal Code.

And this day, at one o'clock, presented the same to the Governor.

MCCARTHY, Chairman.

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 676—An Act to provide for the improvement of the State Capitol grounds.

And this day, at two o'clock, presented the same to the Governor.

MCCARTHY, Chairman.

By Mr. Flint:

ASSEMBLY CHAMBER,

SACRAMENTO, April 1st, 1878. }

MR. PRESIDENT: Your Committee on Engrossment have examined, and find correctly engrossed, Senate Bill No. 620—An Act to amend the Political and Penal Code concerning Public Printing, and for other purposes, approved April 3d, eighteen hundred and seventy-six.

Also, Senate Bill No. 670—An Act to authorize the Board of Supervisors of Amador county to declare that portion of the Amador and Nevada wagon road, which lies in Amador county, a toll-road.

Also, Senate Bill No. 616—An Act to encourage irrigation in Sierra county.

Also, Senate Bill No. 292—An Act to amend section three hundred and twenty-five of the Code of Civil Procedure.

FLINT, for Committee..

By Mr. Dean:

MR. PRESIDENT: The Committee on Election Laws return Senate Bills Nos. 79 and 188, and Assembly Bills Nos. 501 and 249, without recommendation.

DEAN, for Committee.

RECONSIDERATION.

Mr. Lewis moved to reconsider the vote by which the appointment of B. F. Tuttle was confirmed as Insurance Commissioner—giving

as his reasons for so doing, that such action was the desire of the Governor and satisfactory to the appointee.

The roll was called, resulting as follow:

AYES—Messrs. Beazell, Bones, Boring, Boyston, Coleman, Craig, Crane, Dean, Donovan, Evans, Flint, Fowler, Gwin, Haymond, Hill, Lambert, Lewis, McCarthy, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, and Smith—29.

NOES—McGarvey and Whitney—2.

GOVERNOR'S MESSAGE.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT.

To the Senate of the State of California :

I have the honor to inform your honorable body that I desire to withdraw the nomination of the Hon. B. F. Tuttle, *vice* Foard, as Insurance Commissioner, and that I hereby nominate John C. Maynard, *vice* Foard, term expired, as Insurance Commissioner, and I respectfully request that the Senate consent to his appointment to such office.

WILLIAM IRWIN, Governor.

The Senate was considered as in executive session to consider the nomination.

Upon the question, "Will the Senate advise and consent to the appointment of John C. Maynard, *vice* Foard, term expired, as Insurance Commissioner?" the roll was called, resulting as follows:

AYES—Messrs. Beazell, Bones, Boring, Boyston, Brown of Amador, Brown of El Dorado, Coleman, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Gwin, Haymond, Hill, Howe, Lambert, Lewis, McCarthy, McGarvey, Montgomery, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Ream, Rogers, Satterwhite, Searls, Shirley, and Whitney—35.

NOES—None.

Whereupon the President announced the appointment of John C. Maynard, as Insurance Commissioner, duly confirmed.

Mr. Hill, for the delegation, verbally reported Assembly Bill No. 629, without recommendation.

Mr. Lambert, for the Committee on Federal Relations, verbally reported Assembly Joint Resolution No. 41, without recommendation.

Mr. Lewis offered a resolution, as follows:

Resolved, That hereafter the Senate will transact no business except the consideration of Assembly messages, messages from the Governor, the general appropriation bill, and the bill to levy taxes for the thirtieth and thirty-first fiscal years, without unanimous consent.

Upon the adoption of the resolution, the ayes and noes were demanded by the requisite number, and the Senate refused to adopt it by a vote, as follows—it requiring a two-third vote to suspend the rules:

AYES—Messrs. Beazell, Bones, Boring, Brown of Amador, Brown of El Dorado, Crane, Evans, Flint, Goodwin, Hilborn, Hill, Lewis, McCarthy, Murphy of San Luis Obispo, Murphy of Santa Clara, Pierson, Satterwhite, Searls, Shirley, and Whitney—20.

NOES—Messrs. Coleman, Craig, Curtis, Dean, Donovan, Fowler, Gwin, Haymond, Howe, McCoppin, McGarvey, Montgomery, Murphy of San Francisco, Nunan, Ream, and Rogers—16.

Mr. Howe offered a resolution, as follows:

Resolved, That the Journal Clerk of the Senate be authorized and directed to remain after the close of the session, to finish and complete the writing of the Senate Journal, for which services he is hereby allowed fifty dollars, payable out of the appropriation for the contingent expenses of the Senate.

By Mr. Fowler, a resolution, as follows:

Resolved, That the Sergeant-at-Arms of the Senate, and the Clerk in the office of Sergeant-at-Arms, be allowed two weeks additional pay, to be paid out of the Contingent Fund of the Senate, to enable them to work up and settle the business of that office.

Adopted.

By Mr. Hill a resolution, as follows:

Resolved, That Senators McCoppin, Curtis, and Smith be and are hereby appointed a select committee, to whom all bills, resolutions, and other matters introduced this evening shall be referred without reading, and that no matter be read or considered unless recommended by said committee.

Mr. Craig moved to lay the resolution on the table.

Lost.

When it was adopted.

On motion of Mr. Pierson, all committees and delegations were requested to report to the Senate all bills and documents in their possession.

Mr. Nunan, for the San Francisco delegation, verbally reported, substitutes for Assembly Bills Nos. 1 and 100, recommending passage as amended.

Rules suspended, and the bills taken up.

Amendments adopted.

Read third time, and passed.

Mr. Lewis offered a resolution, which was amended to read, as follows:

Resolved, That the Postmaster be and he is hereby directed to take the address of each and every member of the Senate, and remain at the State Capitol for the period of one week, for the purpose of remailing such mail matter as may come to the members after the Senate adjourns; and for such services to receive the sum of thirty dollars, and the Controller is hereby directed to issue his warrant for the same, out of the fund for the contingent expenses of the Senate.

Adopted as amended.

CONSIDERATION OF ASSEMBLY MESSAGES—RESUMED.

Bills heretofore reported were taken up as follows:

Assembly Bill No. 630.

Read first and second times.

Rules suspended, read third time, and passed.

Senate Bill No. 495.

Assembly amendments concurred in.

Ordered enrolled out of order.

Assembly Bill No. 855.

Read first and second times

Rules suspended, read third time, and passed.

Assembly Bill No. 790.

Read first and second times.

Rules suspended, read third time, and passed.

Assembly Bills Nos. 847 and 853.

Read first and second times, and referred to the delegations named in the bills.

Assembly Bill No. 835.

Read first and second times.

Rules suspended, read third time, and passed.

Assembly Bill No. 841.

Read first and second times, and referred to the Judiciary Committee.

Assembly Bill No. 846.

Read first and second times.

On a motion to suspend the rules to consider the bill, the ayes and noes were demanded by the requisite number, and it prevailed by a vote, as follows:

AYES—Messrs. Boring, Brown of Amador, Brown of El Dorado, Craig, Crane, Curtis, Dean, Donovan, Evans, Flint, Fowler, Goodwin, Haymond, Hilborn, Hill, Howe, Lambert, Lewis, McCoppin, McFarvey, Montgomery, Murphy of San Luis Obispo, Murphy of Santa Clara, Numan, Pierson, Ream, Satterwhite, Searls, Shirley, Smith, and Whitney—31.

NOES—Mr. Beazell.

Read third time, and passed.

On motion of Mr. Donovan, the following bill was taken up:

Assembly Bill No. 405—An Act authorizing the condemnation of private property within the limits of Hickory Avenue, between Gough and Octavia Streets, in the City and County of San Francisco.

Read third time, and passed.

Mr. B. D. Murphy offered a resolution, as follows:

Resolved, That the sum of ten dollars (\$10) be allowed to H. S. Foote, for services rendered the Committee of Free Conference on the appropriation bill, the same to be paid out of the Contingent Fund of the Senate.

Adopted.

GOVERNOR'S MESSAGES.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,)
SACRAMENTO, March 28th, 1878. }

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bills No. 307—An Act to establish a scale for the measurement of logs.

352—Act amendatory of and supplementary to an Act entitled an Act to authorize the County Judge of Tehama County to distribute town lots held by him in trust for the citizens of the Town of Red Bluff, and to issue certificates of title to the inhabitants of said town in accordance with the respective interests, approved March sixth, eighteen hundred and sixty-eight.

356—Act to amend section one thousand two hundred and seventy-six of the Code of Civil Procedure, relative to change of names of persons and corporations.

369—Act for the protection of the public roads on Sherman Island.

383—Act to prevent the destruction of fish in King's River.

438—Act to create Hastings College of Letters in the University of the State of California.

452—Act to ratify and confirm certain proceedings of the Board of Supervisors of the County of Tehama in and about the construction of a bridge across the Sacramento River.

478—Act to provide funds for the School Department of the Town of Alameda.

505—An Act to prevent the destruction of deer on Mt. Diablo, in Contra Costa County.

506—An Act to prohibit the destruction of fish in Alameda County.

530—An Act to amend an Act entitled an Act in relation to highways in the County of Solano, approved March sixteenth, eighteen hundred and seventy-six.

532—An Act to amend section six hundred and forty-two of the Political Code, respecting the duties of the Fish Commissioners.

535—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board to pay certain deficiencies in the General Fund of said City and County.

553—An Act to provide for the care and maintenance of the indigent sick of Tuolumne County.

564—Act to authorize the Board of Trustees of Scott Valley School District, in the County of Siskiyou, to borrow money for the purpose of erecting a school house, furnishing the same, and improving the ground upon which the same may be located.

567—Act to amend an Act entitled an Act to re-incorporate the City of Marysville, approved March seventh, eighteen hundred and seventy-six.

575—Act to regulate the fees of Constables in the County of Calaveras.

WILLIAM IRWIN, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,)
SACRAMENTO, March 29th, 1878. }

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bills Nos. 488—An Act to amend an Act entitled an Act concerning roads and highways in Contra Costa County, approved March eleventh, eighteen hundred and seventy-six.

510—An Act to provide for the opening of streets in the City of Oakland.

517—An Act to provide for the opening of new streets, and for the extending and widening of existing streets, in the City of San José.

536—An Act to provide for the refunding of the funded debt of Siskiyou County, California.

WILLIAM IRWIN, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,)
SACRAMENTO, March 30th, 1878. }

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bills Nos. 86—An Act to declare Clear Lake, in Lake County, navigable.

425—An Act providing for the payment of certain salaries out of the Special Fee Fund of the City and County of San Francisco.

456—An Act to authorize the City of San José to issue bonds to provide sewerage for said city.

457—An Act to amend an Act to establish a Board of Commissioners for the former Pueblo or City of Sonoma, and other matters relating thereto, to define the powers and duties of said Commissioners, and to repeal all other Acts relating to the said pueblo or city, the provisions of which are inconsistent with the provisions of this Act, approved March thirtieth, eighteen hundred and sixty-eight.

462—An Act to provide a system of irrigation, promote rapid drainage, and improve the navigation of the Sacramento and San Joaquin Rivers.

489—An Act to amend certain sections of the Political Code, and to enact and add certain sections thereto, relating to pilots and pilot regulations.

511—An Act for transcribing the Great Register of El Dorado County.

516—An Act to amend an Act entitled an Act concerning county officers in Yolo County, and to regulate the fees and salaries thereof, approved March eighteenth, eighteen hundred and seventy-four.

519—An Act to amend an Act entitled an Act to authorize the County Treasurer of El Dorado County to transfer certain funds, approved March sixteenth, eighteen hundred and seventy-six.

547—An Act relative to the Board of Trustees of the City of Sacramento.

561—An Act to amend an Act, approved April first, eighteen hundred and seventy-six, entitled an Act to extend the Act of April twenty-first, eighteen hundred and fifty-six, approved April first, eighteen hundred and sixty-four,

566—An Act to amend section two thousand five hundred and forty-eight of the Political Code.

569—An Act to authorize the Board of Supervisors of Alameda County to establish a receiving hospital in the City of Oakland.

577—An Act to amend section one thousand five hundred and ninety of the Penal Code.

579—An Act to repeal certain sections of an Act entitled an Act concerning public roads in Lassen County, approved March twenty-ninth, eighteen hundred and seventy-six, and to exempt said county from the provisions of section two thousand seven hundred and twenty-six of the Political Code, and to amend section two thousand six hundred and fifty-three, so far as it relates to said County of Lassen.

581—An Act to amend an Act entitled "An Act to revise an Act entitled an Act to amend the Charter of the City of Los Angeles, to define its limits and rights, to enlarge its powers, and provide for its more efficient government, approved April first, eighteen hundred and seventy-six.

598—An Act to close an unused street in San Francisco.

600—An Act granting additional powers to the Mayor and Common Council of the City of San José.

618—An Act to amend an Act entitled "An Act to incorporate the City of San Luis Obispo," approved March twentieth, eighteen hundred and seventy-six.

640—An Act to provide a Contingent Fund for the use of the Legislature.

WILLIAM IRWIN, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, April 1st, 1878, }

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bills Nos. 183—An Act to provide for the payment of John Sutherland, Jr., for his services, rendered in destroying the Vasquez banditti.

418—An Act to amend section six hundred and two of the Penal Code.

682—An Act to amend section one thousand seven hundred and ninety of the Political Code.

494—An Act to amend section three thousand four hundred and eighty-nine of the Political Code.

503—An Act to amend Chapter One, Title Fifteen, of the Penal Code, relating to violations of the laws for the preservation of fish and game.

573—An Act relative to highways in Los Angeles County.

580—An Act to incorporate the Town of Dixon.

630—An Act to provide for the location, construction, and maintenance of public roads in the County of Amador.

621—An Act to amend an Act entitled an Act to establish a Political Code, approved March eighteenth, eighteen hundred and seventy-six.

620—An Act to amend the Political and Penal Codes, concerning public printing, and for other purposes, approved April third, eighteen hundred and seventy-six.

WILLIAM IRWIN, Governor.

To the Senate of the State of California:

Without sanction in custom, I accompany the notice to your honorable body of my having signed substitute for Senate Bill No. 81—entitled an Act for the relief of Henry F. Williams, and to provide for the payment of certain money equitably due said Williams—with a brief statement of the grounds on which I base my action in this case. I do this that I may not be subject to the charge of inconsistency in signing the bill, and withholding my signature from others, which may seem, on a superficial view, to fall into the same category with it.

On the thirtieth of March, eighteen hundred and sixty-eight, an Act of the Legislature was approved authorizing the Board of Supervisors of the City and County of San Francisco to modify the grade of Second Street, in said city. The Act provided that the cost of the work which it authorized and directed to be done, should be defrayed by an assessment on the real estate of a certain defined district, in the locality of the improvement.

It directed:

First—That the Board of Supervisors should let a contract for the grading of the street.

Second—That, at their second regular meeting after the contract should be completed, they should appoint Commissioners to assess the property of the district to pay the cost of the work.

Third—That, when these Commissioners should complete the assessment of the district, and their report should be confirmed, the Mayor of the city should cause a transcript of the assessments to be made, and attach his warrant thereto.

Fourth—That, thereupon, the Board of Supervisors should cause the assessments to be collected, and the amounts due to contractors paid over to them.

These things were done:

First—The Board of Supervisors let the contract, as required by the Act.

Second—Williams had the contract awarded to him, he being the lowest bidder.

Third—He completed his contract, according to its terms, on the fifteenth day of November, eighteen hundred and sixty-nine.

Now, Williams was not entitled to his money on the completion of his contract, for the law under which the contract was taken did not stipulate that he should be paid as soon as the work should be done. But he was entitled to have the officers of the city to perform their plain duty; in other words, the provisions of the law under which the contract was let, prescribing the duties of public officers, entered into the contract, and became essential parts of it. He had a right to expect, and demand, when he had done what the contract required, that public officers would perform the official acts which the law enjoined in the premises. These acts, however, the Mayor and Board of Supervisors deliberately and willfully refused to perform; and they persisted in such refusal, as I am informed, about seventeen months. Now, will any one say that there ought to be no pecuniary liability for the loss resulting to Williams from the deliberate and willful refusal of public officers to perform certain plain ministerial acts which they as solemnly engaged to perform when they let the contract, as Williams engaged to do what was required of him?

That Williams did not get his money was through no laches of his own: through no defects in the law or irregularities in its administration, of which he would have been bound to take

notice or suffer the consequences; it was through the deliberate and willful refusal of public officers to perform certain acts which the contract they had made with Williams stipulated that they would perform. He was not bound to foresee or to presume that public officers would not perform all official acts required of them; and, hence, he should not be left to suffer the consequences, as would be proper if he had sustained losses through his own laches, or from defects in proceedings about which he had the means of informing himself, and of which he was bound to take notice. In this case the injury resulted wholly from the wrongful refusal to act on the part of public officers, which the injured party could neither foresee or prevent. It seems clear to me that these facts make a case, not merely justifying, but requiring the relief provided in this bill.

It is equitable also that Williams should receive interest for the period during which he was kept out of his money by the non-action of officers, in violation of the terms of his contract. As soon as the grading was completed the public enjoyed the benefit of his work. In equity he was entitled to interest on the amount due him during the period he was kept out of his money by the refusal of the officers to perform their official duty in the premises.

But the original Act, under which this work was done, provided that its cost should be charged against a district in the locality of the improvement. This bill provides that the interest which accrued on Williams' claim during the period in which the city officials refused to act shall be paid out of the city treasury. How can, what under the law was a charge against a district, be equitably made a claim against the whole city and paid out of the city treasury?

The improvement of streets in a city may be made either at the cost of the property in the vicinity of the improvement, or at the cost of the whole city. Whether a particular improvement shall be made in one method or the other, is a question which addresses itself to the discretion of the body vested with the legislative power of the city.

This body originally determined that the cost of grading Second Street, and also the damages to property, should be a charge on the property of a certain defined district in the locality. If this original determination had been adhered to, it would be difficult now to say that the claim of Williams could be rightfully transferred from the district to the whole city; but at a subsequent period, to wit, on March twenty-eighth, eighteen hundred and seventy-four, an Act passed the Legislature, authorizing the Board of Supervisors, in their discretion, to allow and order paid out of the General Fund of the city the claims of parties for damages caused by the grading of Second Street.

In pursuance of this authorization, the Board of Supervisors have allowed these claims, and ordered them paid out of the city treasury. By this act, the legislative power of the city has declared that the cost of the improvement of Second Street, and the damages to property resulting therefrom, should have been a charge against the city at large, and not on the district alone defined in the original Act authorizing the improvement; or that it should have been apportioned between the district and the city. In view of the action taken by the Board of Supervisors, under authority of the Act of the Legislature of March twenty-eighth, eighteen hundred and seventy-four, I do not deem it my duty to interfere, by a veto of this bill, to prevent the same body from determining whether the claim of Williams also shall be paid from the city treasury.

WILLIAM IRWIN, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,)
SACRAMENTO, April 1st, 1878. {

To the Senate of the State of California :

I have to inform your honorable body that I have approved Senate Bills Nos. Substitute for 81—An Act for the relief of Henry F. Williams, and to provide for the payment of certain money equitably due said Williams.

203—An Act to provide for the opening and extending of Tehama Street in the City and County of San Francisco.

108—An Act to amend section forty of the Civil Code.

221—An Act for the protection of children, and to prevent and punish certain wrongs to children.

222—An Act relating to children.

303—An Act to add a section to title twelfth, of part fourth, of the first division of the Civil Code.

556—An Act to provide for the extermination of squirrels in the County of Contra Costa.

586—An Act to authorize the Council of the City of Los Angeles to audit and pay to John S. Griffin the amount of a warrant, and heretofore drawn in his favor.

611—An Act to grant the right of way for a railroad track within the limits of the City and County of San Francisco.

619—An Act to amend sections one thousand nine hundred and thirteen, one thousand nine hundred and sixty-two, one thousand nine hundred and sixty-nine of the Political Code, and to add a new section thereto, and to amend section thirty-eight of an Act entitled an Act to amend the Political Code of the State of California, and other Acts concerning the National Guard, approved March twelfth, eighteen hundred and seventy-eight.

624—An Act to provide a fund for the repairing of roads in San Luis Obispo County.

626—An Act to authorize the Board of Supervisors of the City and County of San Francisco to make provision for any deficiency in the Street Department Fund, of the fiscal year eighteen hundred and seventy-seven-seventy-eight.

627—An Act to confer further powers on the Board of Supervisors of the City and County of San Francisco.

631—An Act to provide for the improvement of Van Ness Avenue, in the City and County of San Francisco.

633—An Act to further define the Judicial Districts in the City and County of San Francisco.

650—An Act to authorize the Board of Supervisors of Monterey County to open a public highway, and construct and build a bridge across Salinas River.

672—An Act to confer further powers on the Board of Regents of the University of the State of California.

225—An Act regulating the collection of poll tax in Merced County.

234—An Act relating to advances bona fide made to agents intrusted with goods, and for the better protection of such advances.

424—An Act to amend sections three and four of an Act to regulate the practice of pharmacy in the City and County of San Francisco, passed March twenty-eight, eighteen hundred and seventy-two, and amended March thirty-first, eighteen hundred and seventy-six.

623—An Act to amend an Act entitled an Act to confer further powers on the Board of Trustees of the City of Sacramento.

544—An Act to provide for the construction of a railroad from Ione, in the County of Amador, to a point in or near the town of Jackson, in said county, and to regulate fares and freights thereon.

609—An Act to amend an Act entitled "An Act entitled an Act to district the City of Oakland into wards," approved February nineteenth, eighteen hundred and seventy-six.

628—An Act to authorize the Board of Supervisors of Yolo County to levy taxes for county purposes.

654—An Act to amend an Act entitled an Act to re-incorporate the City of San José, approved March seventeenth, eighteen hundred and seventy-four.

638—An Act to provide for the payment of the indebtedness of Snelling School District, County of Merced, in the State of California.

656—An Act to amend an Act entitled an Act to fix the terms of the County Court and Probate Court of the County of Merced, approved March eleventh, eighteen hundred and seventy-six.

658—An Act to provide for the construction of a roadway on Bay Farm Island, in the Town of Alameda.

659—An Act to ratify certain contracts and ordinances of the Council of the City of Los Angeles.

664—An Act concerning the macadamizing, etc., of Tyler Street, from Market to Devisadero Streets, and to prohibit the laying down of railroad tracks thereon.

667—An Act to authorize the Board of Supervisors of Santa Clara County to audit and pay certain claims.

678—An Act amendatory of and supplementary to an Act entitled an Act to provide for the construction and repair of bridges in the County of Mendocino, approved March twenty-seventh, eighteen hundred and seventy-eight.

WILLIAM IRWIN, Governor.

The rules were suspended to take from the general file:

On motion of Mr. Evans, Assembly Bill No. 283—An Act relating to the civil government of military companies.

Amendments adopted.

Read third time, and passed.

On motion of Mr. McCoppin, Assembly Bill No. 46—An Act to amend certain sections of the Political Code, to repeal certain other sections, and to add new sections thereto.

Read third time, and passed.

Also, Assembly Bill No. 568—An Act to provide for the payment of deficiencies in the appropriation for pay for procuring and listing lands to the State, by the United States, for the twenty-fourth and twenty-fifth fiscal years.

Read third time, and passed.

CONSIDERATION OF ASSEMBLY MESSAGES—CONTINUED.

Assembly Bill No. 806.

Read first and second times.

Rules suspended, read third time, and passed.

Assembly Bill No. 364.

Read first and second times.

Rules suspended, read third time, and passed.

RECESS.

At five o'clock and five minutes P. M., on motion of Mr. J. C. Murphy, the Senate took a recess until eight o'clock P. M.

RE-ASSEMBLED.

At eight o'clock P. M., the Senate re-assembled.
 President in the chair.
 Roll called, and a quorum present.

REPORTS.

Mr. McGarvey submitted the following reports:

MR. PRESIDENT: The Committee on Judiciary, to whom was referred Assembly Bill No. 617—An Act concerning Tax Collectors and administrators of intestate estates, and providing for the disposition of public moneys collected by them—have had the same under consideration, and herewith report the bill back with the recommendation that it do not pass.

McGARVEY, Chairman.

MR. PRESIDENT: The Judiciary Committee, to whom was referred Senate Bill No. 545—An Act to provide for the appointment of a Peanut Inspector in towns and cities of more than one inhabitant—have had the same under consideration, and report it back, recommending its passage.

Also, report back the following bills, without recommendation:

Senate Bill No. 562—An Act to amend section two hundred of the Code of Civil Procedure.

Senate Bill No. 612—An Act to amend section three hundred and forty of the Code of Civil Procedure of the State of California.

Senate Bill No. 538—An Act to amend sections five hundred and forty-two and five hundred and forty-five of the Code of Civil Procedure.

Senate Bill No. 584—An Act to amend certain sections of the Penal Code.

Senate Bill No. 101—An Act to amend section five hundred and six of the Penal Code, in relation to embezzlement.

Senate Bill No. 102—An Act to add another section to the Civil Code, in relation to pledge of stocks in corporations, to be numbered three thousand and twelve.

Senate Bill No. 94—An Act additional to the Code of Civil Procedure, relating to relief to be afforded to third parties whose property has been wrongfully levied upon.

Senate Bill No. 227—An Act concerning costs in State tax cases.

Senate Bill No. 5—An Act to provide for a Convention to frame a new Constitution for the State of California.

Senate Bill No. 18—An Act to repeal sections six hundred and thirty-two, six hundred and thirty-three, and six hundred and thirty-four of the Code of Civil Procedure.

Senate Bill No. 37—An Act to amend sections ninety, ninety-one, and ninety-two of the Civil Code, in relation to divorces.

Senate Bill No. 111—An Act to add a new section to the Code of Civil Procedure, to be numbered nine hundred and sixty.

Senate Bill No. 30—An Act to amend section three hundred and eighty-nine of the Code of Civil Procedure.

Senate Bill No. 22—An Act to add a new section to the Political Code.

Senate Bill No. 157—An Act to amend section seven hundred and two of the Code of Civil Procedure, in relation to the redemption of property sold on execution.

Senate Bill No. 147—An Act to amend section nine hundred and ninety-seven of the Code of Civil Procedure.

Senate Bill No. 213—An Act to amend section one hundred and eighty-two of the Penal Code of the State of California.

Senate Bill No. 240—An Act to repeal an Act entitled an Act to amend the Penal Code, approved January nineteenth, eighteen hundred and seventy-eight.

Senate Bill No. 178—An Act to amend section four hundred and eighty-seven of the Penal Code.

Senate Bill No. 47—An Act to enact section three thousand five hundred and seventy-five of the Political Code of the State of California.

Senate Bill No. 179—An Act to repeal sections six hundred and sixty-six, six hundred and sixty-seven, and six hundred and sixty-eight of the Penal Code.

Senate Bill No. 283—An Act to amend section three thousand eight hundred and forty-six of the Political Code of the State of California.

Senate Bill No. 312—An Act to amend sections four hundred and fifty-nine and four hun-

dred and sixty-one, and to repeal section four hundred and sixty of the Penal Code, in relation to burglary.

Senate Bill No. 320—An Act to amend the Political Code by adding a new section thereto, to be known as section three thousand three hundred and eighty-eight, in relation to licenses.

Senate Bill No. 321—An Act to amend section six hundred and seventy-one of the Civil Code, in relation to and to define bona fide residents.

Senate Bill No. 328—An Act to repeal section four hundred of the Code of Civil Procedure.

Senate Bill No. 385—An Act to amend sections four hundred and seven and four hundred and ten of the Code of Civil Procedure, concerning summonses in civil actions.

Senate Bill No. 440—An Act to amend section three thousand seven hundred and seventy-nine of the Political Code.

Senate Bill No. 446—An Act to amend section fifty-five of the Code of Civil Procedure, in relation to the place of holding District Courts.

Senate Bill No. 459—An Act authorizing the Coulterville and Yosemite Turnpike Company, a corporation, to sue the State.

Assembly Bill No. 85—An Act to amend section three thousand four hundred and sixty-eight of the Political Code.

Assembly Bill No. 13—An Act to amend section four thousand and twenty-four of the Political Code.

Assembly Bill No. 35—An Act to amend section two thousand eight hundred and thirty-two of the Civil Code.

Assembly Bill No. 65—An Act to amend section sixty of the Civil Code.

Assembly Bill No. 118—An Act to amend section one thousand seven hundred and seventy-four of the Code of Civil Procedure.

Assembly Joint Resolution No. 37—Relative to a joint committee to revise the revenue law in regard to assessing.

No. 31—Petition from the citizens of Petaluma, asking that equal political rights be extended to all American citizens, irrespective of sex.

Assembly Bill No. 156—An Act to amend sections two hundred and sixty-six and two hundred and seventy-five of the Penal Code, in reference to the crimes of seduction and producing abortions.

Assembly Bill No. 166—An Act to provide for the payment of witnesses in criminal cases in the County of Placer.

No. 45—Petition of taxpayers of Los Angeles as to Court Inspector.

No. 55—Communication from Cambria Grange.

No. 62—Petition of Order of Caucasians.

Assembly Bill No. 328—An Act to relieve the estates of deceased persons from costs of Probate Court when below the value of fifteen hundred dollars.

Assembly Bill No. 390—An Act to amend sections one thousand and ninety-eight, one thousand and one hundred, and one thousand one hundred and one of the Political Code of California, in relation to the registration of voters.

Assembly Bill No. 325—An Act to provide for the registration of policies of life insurance.

Assembly Bill No. 617—An Act concerning Tax Collectors and Administrators of intestate estates, and providing for the disposition of public moneys collected by them.

Assembly Bill No. 454—An Act to amend section two thousand seven hundred and ten of the Political Code, in and for the County of Santa Barbara.

Assembly Bill No. 407—An Act to amend section six hundred and two of the Political Code, in relation to insurance.

Assembly Bill No. 441—An Act to add two sections to the Code of Civil Procedure, relating to compromise.

Senate Bill No. 467—An Act to amend section seven hundred and ninety-eight of the Political Code, in relation to fees of Notaries Public.

Senate Bill No. 477—An Act to regulate the retail liquor traffic within the State of California.

Senate Bill No. 548—An Act to amend section two thousand five hundred and thirty-nine of the Political Code.

Senate Bill No. 433—An Act to amend section three hundred and eighteen of the Code of Civil Procedure.

Senate Bill No. 585—An Act to amend certain sections of the Political Code, in reference to the levy of executions.

Senate Bill No. 223—An Act to extend the time for collecting delinquent State and county taxes in the Counties of San Luis Obispo, Santa Barbara, and Ventura.

Senate Bill No. 298—An Act to add a new section to the Penal Code, to be known as section two hundred and fifty-eight.

Senate Bill No. 107—An Act to prohibit policemen from electioneering.

Senate Bill No. 123—An Act to amend section one thousand three hundred and sixty-five of the Code of Civil Procedure.

Senate Joint Resolution No. 38—Respecting fraudulent Mexican land claims and fraudulent or erroneous surveys.

Senate Bill No. 648—An Act to amend sections five hundred and forty and six hundred and eighty-nine of the Code of Civil Procedure.

Senate Bill No. 587—An Act to amend section one thousand six hundred and eighteen of the Code of Civil Procedure, in relation to the compensation of executors and administrators.

Senate Bill No. 120—An Act to amend section five hundred and thirty-two of the Penal Code of the State of California.

Assembly Bill No. 841—An Act to amend section two thousand seven hundred and six of the Political Code.

Senate Bill No. 675—An Act to add a new section to the Code of Civil Procedure, relating to the impeachment of witnesses.

Assembly Bill No. 550—An Act to amend sections three thousand seven hundred and eighty and three thousand eight hundred and thirteen of the Political Code, in relation to the redemption of property sold for taxes.

Assembly Bill No. 710—An Act to amend section one hundred and seventy-two of the Code of Civil Procedure.

R. McGARVEY, Chairman.

Mr. Fowler verbally reported Assembly Bill No. 752, without recommendation.

By Mr. Nunan:

SENATE CHAMBER,
SACRAMENTO, April 1st, 1878. }

MR. PRESIDENT: The San Francisco delegation, to whom was referred Senate Bills Nos. 348, 610, 645, 657, 681, and Assembly Bill No. 120—report the same back, without recommendation.

E. NUNAN, Chairman.

Mr. Lambert verbally reported Senate Bill No. 377—the bill having been heretofore passed by each House, and amendments in Assembly concurred in.

By Mr. Nunan:

SENATE CHAMBER,
SACRAMENTO, April 1st, 1878. }

MR. PRESIDENT: Your Committee on Retrenchment, to whom was referred Senate Bill No. 76 entitled—An Act to amend an Act entitled an Act to establish a Political Code, relative to pay of members of the Legislature and the officers of the two Houses.

Also, Senate Bill No. 77—An Act to amend certain sections of the Act to establish a Political Code, concerning the salaries of judicial officers, and of officers connected with the Supreme Court.

Also, Senate Bill No. 78 entitled—An Act to amend certain sections, and to repeal certain sections of the Political Code, concerning the salaries of the civil executive officers of the State—have had said bills under consideration, and report them back without recommendation.

EDWARD NUNAN, Chairman.

Mr. Rogers offered the following:

Resolved, That the President of the Senate be and he is hereby authorized to correct and approve the Journal of this day's proceedings.

Adopted.

By Mr. Curtis:

MR. PRESIDENT: The Sacramento delegation have had under consideration Assembly Bills Nos. 508, 63, 717, 206, 16, 836, and 609; also, Senate Bills Nos. 195 and 21, and report the same back without recommendation.

CURTIS, for the Delegation.

Mr. Donovan submitted a voluminous report from the Committee on Public Buildings and Grounds, which was ordered printed.

Mr. Shirley verbally reported back Assembly Bill No. 811 and Senate Bill No. 362, without recommendation.

Mr. Haymond verbally reported Assembly Bills Nos. 431 and 195.

Mr. Satterwhite verbally reported Senate Bills Nos. 596 and 245, and Assembly Bills Nos. 556 and 703, without recommendation.

Mr. J. C. Murphy verbally reported Senate Bill No. 104, from the Committee of Conference.

Mr. Murphy of San Luis Obispo verbally reported Senate Bill No. 337, without recommendation.

Mr. Lambert verbally reported Assembly Joint Resolutions Nos. 3 and 56, without recommendation.

Mr. Lewis, for the delegation, verbally reported Assembly Bills Nos. 578 and 59, and Senate Bills Nos. 355 and 543, without recommendation.

Mr. Pierson verbally reported Assembly Bill No. 89, and Senate Bill No. 228, without recommendation.

Mr. McCoppin submitted a report, as follows:

MR. PRESIDENT: The Committee on Finance and Claims, to whom was referred Senate Bills Nos. 166, 296, 311, 431, 436, 465, 469, 635, 654, and 673; also, Assembly Bills Nos. 230, and 687, and report the same back without recommendation.

Also, substitute for Joint Resolutions Nos. 6 and 21, on currency, without recommendation.

McCOPPIN, Chairman Committee.

On motion of Mr. McCoppin, Assembly amendments to Senate Bill No. 685 were concurred in.

Mr. McGarvey, for the delegation, verbally reported Assembly Bills Nos. 579, 578, 797, 404, and 167.

Mr. Lambert reported Assembly Bill No. 214, without recommendation.

GOVERNOR'S MESSAGES.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,)
SACRAMENTO, April 1st, 1878. }

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bills Nos. 495—An Act to appropriate money for the relief of the sufferers by the floods.

338—An Act to establish and open Montgomery Street South, in the City and County of San Francisco, and take private lands therefor.

368—An Act to quiet title to land in the County of Yolo.

550—An Act to provide a sufficient number of deputies for the County Assessor of Santa Cruz County.

231—An Act to confer further powers on the Common Council of the City of Santa Barbara.

214—An Act in relation to the House of Correction of the City and County of San Francisco.

Substitute for 155—An Act to amend the Civil Code, and to report certain Acts relative to insurance.

Substitute for 154—An Act to amend the Civil Code, relative to insurance.

Substitute for 153 and 156—An Act to amend the Political Code, in relation to insurance.

685—An Act to provide a Contingent Fund for the use of the Legislature.

686—An Act to amend an Act to enable the Board of Supervisors of the City and County of San Francisco to increase the police force of said city and county, and provide for the appointment, regulation, and payment thereof, approved April first, eighteen hundred and seventy-eight.

WILLIAM IRWIN.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,)
SACRAMENTO, April 1st, 1878. }

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bills Nos. 236—An Act conferring further powers upon the Board of Supervisors of the City and County of San Francisco.

533—An Act for the relief of A. D. Splivalo, J. H. Coleman, and Juan de Toro.

549—An Act to amend an Act entitled an Act to define the boundary, provide for the care, strengthening, and repairing the levees, and for the payment of the indebtedness of Levee District Number One, of Sutter County, approved March twentieth, eighteen hundred and seventy-four.

613—An Act to amend an Act entitled an Act for the relief of purchasers of State lands, approved March twenty-seventh, eighteen hundred and seventy-two.

- 661—An Act relative to the Board of Supervisors of Sacramento County.
 676—An Act to provide for the improvement of the State Capitol grounds.
 260—An Act to amend certain sections, numbers one thousand three hundred and fifty, one thousand three hundred and sixty-five, one thousand three hundred and sixty-nine, and one thousand three hundred and seventy-nine of the Code of Civil Procedure.
 334—An Act to appropriate twenty-five thousand dollars to be used conjointly with a like sum of twenty-five thousand dollars, donated by H. D. Bacon, for the construction of a building, to be erected on the State University grounds, in Alameda County, for a library and art gallery.
 460—An Act for the improvement and preservation of the Yosemite Valley and the Mariposa Big Tree Grove.
 646—An Act to create a Commission to examine and report the condition of certain funds.
 414—An Act to amend the Penal Code.
 464—An Act to authorize the Board of Supervisors of the City and County of San Francisco to order Bay Street graded, and to change the grade.
 211—An Act for the relief of the Oakland Guard, of Oakland City.
 420—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of moneys by said Board.
 560—An Act to confer additional powers on the Board of Supervisors of the City and County of San Francisco, in relation to accepted streets.
 571—An Act to repeal section four hundred and seventy-one of the Civil Code.
 201—An Act to fix the compensation of the Under-Sheriff, Deputy Sheriffs, and County Jailers of Alameda County.
 276—An Act to add another section to the Penal Code, to be designated as section five hundred and ninety-two.
 274—An Act to amend section one thousand one hundred and sixty of the Civil Code, relative to recording transcripts of letters patent.
 292—An Act to amend section three hundred and twenty-five of the Code of Civil Procedure.
 450—An Act to enable railroad companies to complete their railroads.
 Substitute for 525—An Act to relieve the necessities of the San Francisco School Department.

WILLIAM IRWIN, Governor.

ASSEMBLY MESSAGES.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,)
 SACRAMENTO, April 1st, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 688—An Act giving the consent of the Legislature to E. S. Carr, Superintendent of Public Instruction of the State of California, to absent himself from said State for a period not exceeding ninety days.

And indefinitely postponed Senate Bill No. 604—An Act for the relief of Peter Connolly.
 Concurred in Senate amendments to Assembly Bills Nos. 283, 1, and 846.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,)
 SACRAMENTO, April 1st, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, adopted the report of the Committee of Free Conference on Assembly Bill No. 764—An Act making appropriations for the support of the Government of the State of California for the thirtieth and thirty-first fiscal years.

Also, passed Assembly Bill No. 855—An Act to amend section three thousand seven hundred and thirteen of the Political Code.

Also, Assembly Bill No. 698—An Act to amend section two thousand one hundred and forty of the Political Code, in relation to the compensation of Directors of the State Insane Asylum, located at Stockton.

Passed Senate Bill No. 641—An Act supplemental to an Act entitled an Act to legalize the assessment of taxes in the City and County of San Francisco, and to ratify and confirm a resolution of the Board of Supervisors of the City and County of San Francisco, approved March nineteenth, eighteen hundred and seventy-eight.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER,)
 SACRAMENTO, April 1st, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 282—An Act to amend section two thousand and eighty-four of the Code of Civil Procedure, in relation to proceedings to perpetuate testimony.

Amended and passed Senate Bill No. 685—An Act to provide a Contingent Fund for the use of the Legislature.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER.

SACRAMENTO, April 1st, 1878.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on the first day of April, A. D. eighteen hundred and seventy-eight, amended and passed Senate Bill No. 446—An Act to appropriate money for the relief of the sufferers of the late flood.

R. C. PAGE, Chief Clerk.

ASSEMBLY CHAMBER.

SACRAMENTO, April 1st, 1878.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 442—An Act to amend section one thousand one hundred and sixty-one of the Code of Civil Procedure of the State of California.

Senate Bill No. 441—An Act to amend section three thousand four hundred and sixty-nine of the Civil Code of the State of California.

Senate Bill No. 277—An Act imposing a tax on the issue of certificates of stock of corporations.

Senate Bill No. 142—An Act to amend sections three thousand three hundred and thirty-five and three thousand three hundred and thirty-seven of the Political Code.

Senate Bill No. 277—An Act to amend sections three thousand eight hundred and fifty-seven and three thousand eight hundred and fifty-eight of the Political Code.

Concurred in Senate Concurrent Resolution No. 58.

And indefinitely postponed Senate Bill No. 540—An Act to authorize the Board of Supervisors of the City and County of San Francisco to appropriate money for the improvement of Alamo Square in said county.

Also passed Assembly Bill No. 806—An Act to amend the Penal Code with respect to the punishment of persons guilty of cheating under pretense of playing at games of chance.

E. L. CRAWFORD, Assistant Clerk.

ASSEMBLY CHAMBER.

SACRAMENTO, April 1st, 1878.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 298—An Act to add an additional section to the Penal Code, in relation to counterfeiting.

E. L. CRAWFORD, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

The bills reported from the Assembly were taken up, as follows:
Assembly Bill No. 298.

Read first and second times.

Rules suspended, read third time, and passed.

Assembly Bills Nos. 638 and 845.

Read first and second times, and ordered on the general file.

Assembly Bills Nos. 818, 829, and 698.

Each read first and second times.

Rules suspended, read third time, and severally passed.

Assembly Concurrent Resolution No. 77.

Read first and second times.

Rules suspended, read third time, and passed.

Senate Bill No. 476.

Assembly amendment concurred in.

Assembly Bill No. 828.

Read first and second times.

Rules suspended, amended, read third time, and passed.

Assembly Bill No. 758.

Read first and second times.

On a motion to suspend the rules, to place the bill on its passage.

the ayes and noes were demanded by the requisite number, and the Senate refused by a vote, as follows:

AYES—Messrs. Brown of Amador, Brown of El Dorado, Coleman, Crane, Evans, Fowler, Haymond, Lambert, Montgomery, Rogers, Satterwhite, and Shirley—12.

NOES—Messrs. Beazell, Bones, Boring, Boyston, Craig, Curtis, Dean, Donovan, Flint, Goodwin, Gwin, Hilborn, Hill, Lewis, McCarthy, McGarvey, Murphy of San Francisco, Murphy of San Luis Obispo, Murphy of Santa Clara, Nunan, Pierson, Searls, Smith, and Whitney—24.

Mr. Murphy of San Luis Obispo introduced a resolution, as follows:

Resolved, That the sum of eighteen dollars be appropriated, out of the Contingent Fund of the Senate, to pay James Saultry for three days' services to be given at the Senate Chamber after the adjournment of the Senate.

Adopted.

The rules were suspended to take from the general file:

On motion of Mr. Donovan, Assembly Bill No. 278—An Act for the relief of Richard Dudding and William Johnson.

Rules suspended, read third time, and passed.

On motion of Mr. Brown of El Dorado, Senate Bill No. 413—An Act for the relief of James W. Marshall.

Amended.

Rules suspended, considered engrossed, read third time, and passed.

Also, Assembly Bill No. 686—An Act to divide the County of El Dorado into revenue districts, and to provide for the assessment, collection, and equalization of taxes therein.

Amended.

Read third time, and passed.

Mr. J. C. Murphy moved to suspend the rules to take up from the general file Assembly Bill No. 82—An Act to increase the number of Supervisors in the City and County of San Francisco, and the manner of electing the same.

On which the ayes and noes were demanded by the requisite number, and the motion prevailed by a vote, as follows:

AYES—Messrs. Beazell, Boyston, Brown of Amador, Brown of El Dorado, Craig, Crane, Curtis, Donovan, Evans, Goodwin, Haymond, Howe, Lambert, Lewis, McCarthy, McGarvey, Montgomery, Murphy of San Francisco, Rogers, Searls, and Shirley—21.

NOES—Messrs. Bones, Coleman, Dean, Flint, Fowler, Hilborn, Ream, Satterwhite, Smith, and Whitney—10.

Read third time.

On passage of the bill, the ayes and noes were demanded by the requisite number, and it passed, by a vote as follows:

AYES—Messrs. Boyston, Craig, Curtis, Donovan, Fowler, Goodwin, Gwin, Howe, Lambert, Lewis, McCarthy, McGarvey, Murphy of San Francisco, Murphy of San Luis Obispo, Rogers, Satterwhite, Searls, and Shirley—18.

NOES—Messrs. Bones, Boring, Brown of Amador, Coleman, Dean, Evans, Flint, Hilborn, Hill, McCoppin, Montgomery, Murphy of Santa Clara, Ream, Smith, and Whitney—15.

Mr. McCarthy submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, April 1st, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined and find correctly enrolled Senate Joint Resolution No. 13—In reference to fixing the days for election of Presidential Electors, and for casting of their votes for President.

Also, Senate Bill No. 135—An Act to add two new sections to the Civil Code, to be numbered sections two hundred and thirty-one and two hundred and thirty-two.

Senate Bill No. 495—An Act to appropriate money for the relief of the sufferers by the late flood.

Senate Bill No. 435—An Act to amend sections two thousand nine hundred and fifty-five of the Civil Code, relating to chattel mortgages.

Senate Joint Resolution No. 50—In reference to Federal tax upon deposits in Savings Banks.

Senate Bill No. 205—Granting relief to taxpayers whose lands have been sold to the State.

Senate Bill No. 270—An Act to authorize certain payments by the Board of State Harbor Commissioners.

Senate Bill No. 662—An Act to authorize the managers of orphan asylums to give their consent to the adoption of certain children under their care.

Senate Bill No. 647—An Act granting additional powers to the Board of Supervisors of the County of Santa Cruz.

Senate Bill No. 493—An Act to amend section four thousand four hundred and twenty-five of the Political Code.

Substitute for Senate Bill No. 155—An Act to amend the Civil Code, and repeal certain Acts relative to insurance.

Substitute for Senate Bill No. 154—An Act to amend the Civil Code, relative to insurance.

Senate Bill No. 594—An Act to confer additional powers on the Board of Supervisors of the City and County of San Francisco.

Also, Senate Bill No. 277—An Act to amend sections three thousand eight hundred and fifty-seven and three thousand eight hundred and fifty-eight of the Political Code.

Also, Senate Bill No. 441—An Act to amend section three thousand four hundred and sixty-nine of the Civil Code of the State of California.

Also, Senate Bill No. 164—An Act in relation to warehouse and wharfingers' receipts, and other matters pertaining thereto.

Also, Senate Bill No. 485—An Act to authorize the Board of State Harbor Commissioners to adjust and pay the claims of J. C. Smith.

Also, Senate Bill No. 641—An Act supplemental to an Act entitled an Act to legalize the assessment of taxes in the City and County of San Francisco, and to ratify and confirm a resolution of the Board of Supervisors of the City and County of San Francisco, approved March nineteenth, eighteen hundred and seventy-eight.

Also, substitute for Senate Bill No. 148—An Act to amend sections three thousand three hundred and thirty-five and three thousand three hundred and thirty-seven of the Political Code.

Also, Senate Bill No. 670—An Act to authorize the Board of Supervisors of Amador County to declare that portion of the Amador and Nevada wagon road which lies in Amador County, a toll-road.

Also, substitute for Senate Bills Nos. 153, 156, and 295, and for section four hundred and fifty-three in section three of Senate Bill No. 155—An Act to amend the Political Code, in relation to insurance.

Also, Senate Bill No. 616—An Act to encourage irrigation in Sierra County.

Also, Senate Bill No. 442—An Act to amend section one thousand one hundred and sixty-one of the Code of Civil Procedure of the State of California.

Also, Senate Bill No. 685—An Act to provide a Contingent Fund for the use of the Legislature.

And, this day, at nine o'clock p. m., presented the same to the Governor.

McCARTHY, Chairman.

Mr. Pierson offered a resolution, as follows:

Resolved by the Senate, the Assembly concurring. That the Enrolling Clerk of the Senate be instructed to correct Senate Bill No. 665, by inserting an enacting clause therein.

Adopted.

By Mr. Lewis:

Resolved. That the thanks of the Senate are due to the President of the Senate, Hon. James A. Johnson, for the able and impartial manner in which he has discharged his duty as presiding officer of this body, and the members of the Senate will ever regard him as an able presiding officer, and a kind, courteous, and affable gentleman.

Adopted unanimously.

Mr. Hill verbally reported Assembly Bill No. 383 without recommendation.

Mr. Hilborn verbally reported Assembly Bill No. 853 without recommendation.

Mr. McCarthy submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, April 1st, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined and find correctly enrolled Senate Bill No. 282—An Act to amend section two thousand and eighty-four of the Code of Civil Procedure, in relation to proceedings to perpetuate testimony.

Also, Senate Bill No. 686—An Act to amend an Act entitled an Act to empower the Board of Supervisors of the City and County of San Francisco to increase the police force, approved April first, eighteen hundred and seventy-eight.

And this day, at nine o'clock and thirty minutes p. m., presented the same to the Governor.

McCARTHY, Chairman.

Mr. Lewis offered the following:

Resolved, That a committee of three Senators be appointed by the President to wait upon the Governor and inquire if he has any further business to communicate to the Senate.

Adopted.

The President appointed Messrs. Lewis, B. D. Murphy, and Hilborn as such committee.

ASSEMBLY MESSAGES.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, April 1st, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, concurred in Senate Concurrent Resolution No. 63—Relative to Senate Bill No. 665.

E. L. CRAWFORD, Assistant Clerk.

RECESS.

At ten o'clock and ten minutes p. m., on motion of Mr. Goodwin, the Senate took a recess for twenty minutes.

RE-ASSEMBLED.

At ten o'clock and forty minutes p. m. Senate re-assembled.

President in the chair.

Roll called, and a quorum present.

ASSEMBLY CHAMBER,
SACRAMENTO, April 1st, 1878. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 665—An Act to amend section one thousand one hundred and sixty-one of the Code of Civil Procedure.

Senate Bill No. 686—An Act to amend an Act entitled an Act to empower the Board of Supervisors of the City and County of San Francisco to increase the police force of said city and county, and provide for the appointment, regulation, and payment thereof, approved April first, eighteen hundred and seventy-eight.

E. L. CRAWFORD, Assistant Clerk.

[Mr. J. C. Murphy in the chair.]

The Special Committee reported the following resolution:

Resolved, That the Assistant Journal Clerk be and he is hereby allowed the sum of two dollars per day, additional pay, from December eleventh, eighteen hundred and seventy-seven, to date, payable out of the Contingent Fund of the Senate.

Adopted.

By Mr. Haymond:

Resolved by the Senate, That the Governor be requested to return Senate Bill No. 153, that a mistake in its enrollment may be corrected.

Adopted.

Mr. McCarthy submitted a report, as follows:

SENATE CHAMBER,
SACRAMENTO, April 1st, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined and find correctly enrolled Senate Bill No. 665—An Act to amend section one thousand one hundred and sixty-one of the Code of Civil Procedure.

Also, substitute for Senate Bill No. 257—An Act imposing a tax on the issue of certificates of stock corporations.

Also, Senate Bill No. 620—An Act to amend the Political Code, concerning public printing, and for other purposes, approved April third, eighteen hundred and seventy-six.

And this day, at eleven o'clock P. M., presented the same to the Governor.

McCARTHY, Chairman.

Mr. Beazell offered a resolution which was referred to the Special Committee, and subsequently reported, as follows:

Resolved, That per diem for two weeks be allowed the Minute Clerk of the Senate, for services in connection with his office, payable out of the Contingent Fund of the Senate.

Adopted.

The Special Committee reported as follows:

Resolved, That James Saultry be allowed the sum of two dollars per day from the commencement of the session up to this date, for services as Head Porter of the Senate, payable out of the Contingent Fund of the Senate.

Adopted.

Also:

Resolved, That the sum of two dollars per day additional compensation be allowed to Hiram Clock, from the commencement of the session, payable out of the Contingent Fund of the Senate, for extra work.

Adopted.

GOVERNOR'S MESSAGE.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
SACRAMENTO, April 1st, 1878. }

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bills Nos. substitute for 365—An Act to provide for the payment of certain outstanding bonds of the County of Alameda.

442—An Act to amend section one thousand one hundred and sixty-one of the Code of Civil Procedure of the State of California.

277—An Act to amend section three thousand eight hundred and fifty-seven and three thousand eight hundred and fifty-eight of the Political Code.

435—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code relating to chattel mortgages.

66—An Act to amend sections two hundred and seventy-five and two hundred and seventy-nine of the Code of Civil Procedure, relating to attorneys and counselors-at-law.

205—An Act granting relief to taxpayers whose lands have been sold to the State.

97—An Act to create a new Court in the City and County of San Francisco to be designated as the Municipal Court of Appeals of the City and County of San Francisco.

455—An Act creating the Twenty-third Judicial District, and defining the Third and Twelfth Judicial Districts.

670—An Act to authorize the Board of Supervisors of Amador County to declare that portion of the Amador and Nevada wagon road which lies in Amador County, a toll-road.

270—An Act to authorize certain payments by the Harbor Commissioners.

Substitute for 148—An Act to amend sections three thousand three hundred and thirty-five and three thousand three hundred and thirty-seven of the Political Code.

164—An Act in relation to warehouse and wharfinger receipts, and other matters pertaining thereto.

620—An Act to amend the Political and Penal Codes concerning public printing, and for other purposes, approved April third, eighteen hundred and seventy-six.

665—An Act to amend section one thousand one hundred and sixty-one of the Code of Civil Procedure.

679—An Act in relation to certain streets in the Town of Alameda.

493—An Act in relation to the Police Judge of the City of San Luis Obispo.

Substitute for 109 and 293—An Act to amend the Civil Code, concerning the mortgage of ground crops.

641—An Act supplemental to an Act entitled an Act to legalize the assessment of taxes in the City and County of San Francisco, and to ratify and confirm a resolution of the Board of Supervisors of the City and County of San Francisco, approved March nineteenth, eighteen hundred and seventy-eight.

Substitute for 257—An Act imposing a tax on the issue of certificates of stock corporations.

636—An Act amendatory of and supplementary to an Act entitled an Act authorizing certain parties to improve a portion of King's River, and to erect booms thereon.

Also, 662 and 594.

WILLIAM IRWIN, Governor.

Mr. McCarthy then submitted a report as follows:

SENATE CHAMBER,
SACRAMENTO, April 1st, 1878. }

MR. PRESIDENT: Your Committee on Enrollment have examined and find correctly enrolled Senate Bill No. 148—An Act to amend sections three thousand three hundred and thirty-five and three thousand three hundred and thirty-seven of the Political Code.

And this day, at eleven o'clock and fifteen minutes, presented the same to the Governor.

McCARTHY, Chairman.

On motion of Mr. Rogers a committee of three was appointed to communicate with the Assembly in reference to further business and a final adjournment.

The President appointed Messrs. Rogers, Hill, and Flint.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
SACRAMENTO, April 1st, 1878, 11:45 P. M. }

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, having completed its business, will have no further communication to make.

E. L. CRAWFORD, Assistant Clerk.

The Special Committee reported the following, introduced by Mr. Ream:

Resolved, That the thanks of the Senate be tendered to the Secretary, the Minute Clerk, and Assistant Secretaries, and other officers of the Senate, for the efficient and courteous manner in which they have discharged the duties of their office.

Adopted.

Mr. McCarthy submitted a report, as follows:

SENATE CHAMBER, April 1st, 1878.

MR. PRESIDENT: Your Committee on Enrollment have examined, and find correctly enrolled, Senate Bill No. 377—An Act to provide for a levee, drainage, and road district in the County of Yolo.

And this day, at eleven o'clock and fifty minutes, presented the same to the Governor.

McCARTHY, Chairman.

[President in the chair.]

A committee from the Assembly was announced, and stated that

that body had completed its labors, and was now ready to concur in a final adjournment of the Legislature.

Mr. Rogers, for the Senate committee, reported that the committee had waited upon the Assembly, and learned that no further communications would be made.

Mr. Lewis, for the committee appointed to wait upon the Governor, reported that his Excellency has no further communication to make with the Senate.

ADJOURNMENT OF THE SENATE OF THE TWENTY-SECOND SESSION OF
THE LEGISLATURE—CLOSING REMARKS OF THE PRESIDENT.

The President, at twelve o'clock midnight, said:

The time having arrived, it becomes my duty as presiding officer of this body to adjourn it *sine die*. Before doing so, however, I desire to return my sincere thanks to the young statesmen (the pages) whom I see ranged before me: those who will take our places as the future statesmen of the country as we drop out one by one as roses fall. I hope that these young men may meet all of the expectations of their parents, and that they may redeem the promise that their conduct has given here this winter, of becoming eminent men in the land. I also desire to return my thanks to the gentlemen at the Secretary's desk and all employed about the Senate, and particularly to you, Senators, I desire to return my thanks for the uniform kindness and courtesy with which you have treated the Chair. Without your indulgence, without your kindness, which has had in it always a full measure of sincere, personal friendship, I should not have been able to have succeeded as well to my satisfaction as I have. That I committed some errors, some mistakes, there can be no doubt, and but for my friend, the Senator from San Joaquin, I doubtless would have committed many more. To him I personally and individually return my thanks for his many acts of kindness and his oft repeated advice. Senators, I can assure you that each and every one of you, as you disperse to your homes, will take with you not only my good will, but, I can truthfully say, the sincere friendship of my heart. It now becomes my duty to adjourn this Senate *sine die*.

Approved:

JAMES A. JOHNSON,
President of the Senate. .

R. SHOEMAKER,
Secretary of the Senate.

INDEX.

ORDER OF ARRANGEMENT.

INDEX TO PROCEEDINGS OF THE SENATE.

INDEX TO SENATE BILLS.

INDEX TO SENATE CONCURRENT RESOLUTIONS.

ABBREVIATIONS.—S. B., Senate Bill; S. S. B., Substitute for Senate Bill; S. S. A. B., Senate Substitute for Assembly Bill; A. B., Assembly Bill; S. A. B., Substitute for Assembly Bill; A. S. S. B., Assembly Substitute for Senate Bill; S. C. R., Senate Concurrent Resolution; A. C. R., Assembly Concurrent Resolution; S. J. R., Senate Joint Resolution; A. J. R., Assembly Joint Resolution.

INDEX TO PROCEEDINGS OF THE SENATE.

A

ADJOURNMENTS. Pages-----	2, 8, 13, 17, 19, 29, 33, 37, 38, 41, 45, 51, 60, 66, 71, 74, 78, 81, 82, 89, 95, 100, 106, 112, 120, 126, 134, 137, 139, 144, 147, 152, 157, 160, 163, 168, 173, 179, 184, 191, 195, 199, 207, 212, 217, 224, 231, 237, 242, 251, 259, 265, 273, 281, 288, 298, 304, 311, 316, 327, 335, 345, 354, 364, 374, 381, 390, 397, 403, 413, 427, 438, 445, 459, 475, 485, 496, 507, 517, 526, 534, 548, 578
ALAMEDA COUNTY. Bills concerning-----	18, 40, 50, 62, 123, 128, 146, 202, 224, 228, 233, 268, 331, 358, 393, 400, 437, 501, 514, 520, 557
Reports of Delegation-----	68, 127, 149, 171, 201, 226, 266, 282, 292, 312, 328, 336, 337, 362, 382, 402, 408, 478
ALPINE COUNTY. Report of Delegation-----	346
AMADOR COUNTY. Bills concerning-----	56, 389, 423, 457
Reports of Delegation-----	208, 417, 491, 513
AMENDMENTS TO CIVIL CODE. Bill to amend Section 307, in relation to corporations-----	11
Bill to amend Section 596-----	16
Bill to amend Section 574-----	16
Bill to add Sections 404, 405, and 406, and repeal an Act in relation to foreign corporations-----	18
Bill to amend Section 299-----	18
Bill to amend Sections 90, 91, and 92, in relation to divorces-----	27
Bill to amend Section 1624-----	31
Bill to amend Section 14, and to reenact Sections 15, 16, and 17, relating to definitions-----	31
Bill to repeal Section 60-----	35
Bill to add another section, relating to marriage-----	44
Bill to amend Section 571, and to add a new section-----	72
Bill to add another section in relation to pledge of stock in corporations, to be numbered 3112-----	72
Bill to amend Section 40-----	73
Bill to amend concerning mortgages of crops-----	73
Bill to add two new sections, numbered 231 and 232-----	85
Bill to amend certain sections, and to add certain sections, relating to insurance-----	92
Bill to amend Sections 450 and 451, to add two new sections, relating to insurance-----	92
Bill to add a new section, to be known as Section 553-----	99
Bill to amend Section 1617-----	101
Bill to amend Section 2180-----	110
Bill to amend Section 2955-----	150
Bill to add Section 1020-----	154
Bill to amend Section 1270, in relation to wills-----	161
Bill to amend Section 1160-----	165
Bill to amend Section 2274-----	170
Bill to amend Chapter II., Article VI., of Title XIV., by adding a section, relating to mortgages of growing crops-----	181
Bill to repeal a certain section, relating to insurance-----	182
Bill to add a section to Title XII., of Part IV., of first division-----	190
Bill to amend Section 671, in relation to bona fide residents-----	202
Bill to amend Section 299-----	220
Bill to amend Section 293-----	220
Bill to add a new section-----	241
Bill to amend Sections 324, 3087, 3088, 3091, 3092, 3093, 3094, and 3095-----	285
Bill to amend Section 2955, relating to chattel mortgages-----	285
Bill to amend Section 1386-----	293
Bill to amend Section 3469-----	293

AMENDMENTS TO CIVIL CODE. Bill to amend Section 821.....	294
Bill to amend Section 473.....	321
Bill to amend Sections 337 and 341, and to repeal Section 338.....	332
Bill to amend Section 336.....	332
Bill to amend Section 497.....	339
Bill to amend Section 592, concerning lateral and subjacent support of land.....	351
Bill to amend a certain section, relating to corporations.....	375
Bill to repeal Section 471.....	402
Bill to amend Section 628.....	402
Bill to amend Section 498, relative to street railway corporations.....	411
Bill to repeal Section 299, relative to corporations.....	422
Bill to amend Section 1919.....	437
Bill to amend Sections 336 and 337.....	513
AMENDMENTS TO CODE OF CIVIL PROCEDURE. Bill to repeal sections 682, 683, and 684.....	16
Bill to amend section 389.....	26
Bill to amend section 663.....	27
Bill to amend section 113, in relation to time of election of Justices of the Peace.....	31
Bill to amend sections 275 and 276, relating to attorneys and counselors at law.....	44
Bill to amend sections 265 and 266, in regard to Judges of Supreme Court.....	56
Bill to amend section 76.....	62
Bill to amend section 969.....	62
Bill to add a new section.....	70
Bill additional relative to property wrongfully levied on.....	70
Bill to add a new section.....	72
Bill to add a new section, numbered 960.....	75
Bill to amend section 1166.....	75
Bill to amend section 895.....	76
Bill to amend section 1365.....	76
Bill to amend section 276.....	79
Bill to amend sections 396 and 399.....	86
Bill to amend section 997.....	89
Bill to amend section 702.....	92
Bill to amend section 883.....	99
Bill to amend section 411.....	146
Bill to amend section 379.....	146
Bill to amend section 690.....	146
Bill to amend section 690.....	150
Bill to amend sections 1350, 1365, 1368, 1369, and 1379.....	154
Bill to amend Section 2884, in relation to proceedings to perpetuate testimony.....	170
Bill to add two new sections.....	177
Bill to amend Section 325.....	177
Bill to amend in relation to attachments.....	202
Bill to amend Section 372.....	202
Bill to amend Section 1880, relating to witnesses.....	209
Bill to repeal Section 400.....	209
Bill to repeal Section 177.....	210
Bill to repeal Section 1709.....	210
Bill to repeal Sections 497 and 410, relative to summons in civil actions.....	244
Bill to add another section, to be known as Section 417.....	265
Bill to add three new sections, to be known as Sections 51, 52, and 53, in relation to practice in Supreme Court.....	265
Bill to amend Code of Civil Procedure.....	268
Bill to amend Section 1494.....	277
Bill to amend Section 318.....	285
Bill to amend Section 1161.....	294
Bill to amend Section 55, in relation to place of holding District Court.....	294
Bill to amend Section 59.....	321
Bill to amend Section 200.....	332
Bill to add a new section.....	369
Bill to amend Section 1183.....	370
Bill to amend the Code of Civil Procedure.....	385
Bill to amend Section 542.....	393
Bill to amend Section 581.....	393
Bill to amend Section 542 and 545.....	395
Bill to amend Section 200.....	400
Bill to amend certain sections, relating to attachments.....	422
Bill to amend Section 1618, relative to compensation of executors and admin- istrators.....	423
Bill to add a new section, to be numbered 1040.....	423
Bill to amend Code of Civil Procedure.....	423
Bill to amend Section 276.....	423

AMENDMENTS TO CODE OF CIVIL PROCEDURE. Bill to amend Section 340.....	437
Bill to amend Section 539.....	442
Bill to amend Sections 756, 757, 759, 760, and 798.....	457
Bill to amend Sections 540 and 689.....	481
Bill to amend Section 1183.....	482
Bill to amend Section 1161.....	502
Bill to add a new section, relating to impeachment of witnesses.....	514
AMENDMENTS TO PENAL CODE. Bill to repeal Section 687.....	26
Bill to amend Section 506, in relation to embezzlement.....	72
Bill to amend Section 532.....	76
Bill to amend Section 1286.....	92
Bill to amend Section 487.....	101
Bill to repeal Sections 666, 667, and 668.....	101
Bill to amend Section 1330, in relation to witnesses.....	111
Bill to add a new section, to be known as Section 420.....	122
Bill to add a new section, to be known as Section 258.....	123
Bill to amend Section 182.....	128
Bill to amend Section 376.....	133
Bill to amend Section 1590.....	133
Bill to amend Sections 290 and 297, and to add a section, to be known as Section 298.....	138
Bill to add Section 655.....	142
Bill repealing.....	146
Bill to amend Section 900, relating to challenges.....	170
Bill to amend Section 357.....	170
Bill to add a new section, relating to adulteration of candies.....	170
Bill to add a new section, to be numbered 1615.....	180
Bill to amend Section 487, relating to grand larceny.....	190
Bill to amend Section 340.....	190
Bill to amend Sections 459 and 461, and to repeal Section 460, in relation to burglary.....	202
Bill to add a new section, to be known as Section 178, in relation to divorces.....	209
Bill to amend in relation to fugitives from justice.....	268
Bill to amend Penal Code.....	277
Bill to amend Section 602.....	277
Bill to amend Chapter I, Title XV, relating to violations of the laws for the preservation of fish and game.....	356
Bill to amend Section 1590.....	411
Bill to amend certain sections.....	422
Bill to amend Section 633.....	520
AMENDMENTS TO POLITICAL CODE. Bill to amend Section 3617, defining certain terms.....	11
Bill to amend Section 792, relating to Notaries Public.....	11
Bill to amend and to repeal certain sections, concerning salaries of executive officers.....	11
Bill to amend Section 4109.....	11
Bill to amend Sections 245, 246, 248, and 249.....	16
Bill to amend Section 3617.....	16
Bill to add a new section.....	18
Bill to amend Sections 1229 and 1230.....	26
Bill to amend Section 1576.....	26
Bill to amend and to repeal certain sections, relating to elections.....	31
Bill to enact Section 3575.....	31
Bill to amend Section 666.....	43
Bill to amend Section 1560 and to repeal Section 1561.....	50
Bill to amend certain sections, and repeal certain sections, relating to public schools.....	50
Bill to amend Section 611, relative to insurance.....	51
Bill to amend certain sections, and to repeal certain sections, concerning salaries of executive officers.....	55
Bill to amend relative to pay of members of Legislature.....	55
Bill to amend concerning judicial officers.....	55
Bill to amend Section 1746.....	75
Bill to add a new section, to be numbered 1941.....	80
Bill to amend Sections 1053 and 1055.....	86
Bill to amend Sections 2910 and 2914.....	85
Bill to add a new section, to be numbered 3491.....	85
Bill to add two sections, numbered 231 and 232.....	85
Bill to amend Section 3061.....	86
Bill to add a new section.....	86
Bill to amend Section 3337.....	89
Bill to amend Section 616, relating to insurance.....	92
Bill to amend certain sections relating to insurance.....	92
Bill to amend Section 1750, concerning diplomas.....	92

AMENDMENTS TO POLITICAL CODE. Bill to amend Political Code, respecting quarantine	110
Bill to amend Section 1712	111
Bill to amend Section 2536, concerning construction of sea-wall	128
Bill to amend Section 3382	136
Bill to amend certain sections	136
Bill to amend Political Code, concerning swamp lands	150
Bill to add a new section	165
Bill to amend Sections 3857 and 3858	170
Bill to amend Section 3846	170
Bill to amend Section 1770, in relation to County Boards of Examination	170
Bill to amend Section 3443	177
Bill to amend a certain section, relating to insurance	182
Bill to amend Section 562, and to add two Sections, 568 and 569	182
Bill to amend Section 791	190
Bill to add a new section	190
Bill to add a new section, to be known as Section 3388, in relation to licenses	202
Bill to amend Sections 3757, 3758, 3764, 3790, and 3797	209
Bill to amend Sections 3074, 3077, 3079, and 3081, and to add a new section, to be numbered 3083, relative to registry of births, marriages, and deaths	229
Bill to amend Section 2664	277
Bill to amend Section 3881	278
Bill to amend Sections 680 and 681, relating to purchase of bonds for State School Fund	285
Bill to amend Section 3779	293
Bill to amend Section 3574	306
Bill to enact certain new sections, relating to adoption of text-books, and to repeal certain sections	306
Bill to amend Section 798, relating to Notaries Public	321
Bill to amend Section 3379, relating to licenses	321
Bill to amend Section 1503, and to repeal Section 1750	321
Bill to amend certain sections, and to enact and add certain sections, relating to pilots and pilot regulations	339
Bill to amend Section 4425	351
Bill to amend Section 3478	351
Bill to amend, also to repeal, certain sections, relating to elections	351
Bill to amend Sections 3452, 3453, 3454, 3455, 3456, 3459, 3461, 3462, 3466, 3471, and 3481	356
Bill to amend by adding a new section	369
Bill to amend Section 642, relating to Fish Commissioners	376
Bill to amend Section 3515, relating to certificates of purchase	388
Bill to amend Sections 3758, 3764, 3790, and 3797	389
Bill to amend Section 2539	393
Bill to amend Section 2548	400
Bill to amend Section 248	402
Bill to amend certain sections relating to levy of executions	422
Bill to amend Sections 2457, 2466, and 2467	423
Bill to amend Sections 1913, 1962, and 1969, and to add a new section thereto	456
Bill to amend the Political and Penal Codes, concerning public printing, and other purposes	456
Bill to amend concerning public printing	456
Bill to amend Article IV., Section 261	481
Bill to add a new section, to be numbered 1618	501
Bill to amend Section 1790	533
ANGNEY, W. Z. Appeared	1
Appointed on committees	6, 34, 41, 70
Bills introduced by	55
Granted leave of absence	71
Reports of	9, 60, 64
Resolutions offered	6, 17, 18, 37, 38
Death announced	162
ARMSTRONG, JOHN W. Elected Trustee of State Library	131
ASSEMBLY BILLS, RESOLUTIONS, ETC., PASSED. A. C. R. 7	31
A. B. 27	50
A. B. 32	50
A. B. 5	53
A. B. 6	53
A. B. 55	65
A. B. 72	69
A. B. 49	69
A. C. R. 22	85
A. B. 37	89

ASSEMBLY BILLS, RESOLUTIONS, ETC., PASSED. A. C. R. 26	91
A. B. 57	98
A. B. 74	101
A. B. 170	104
A. B. 96	104
A. B. 7	110
A. C. R. 6	110
A. C. R. 13	110
A. B. 3	111
A. B. 104	111
A. B. 79	111
A. B. 54	111
A. B. 58	121
A. C. R. 27	122
A. B. 110	122
A. B. 84	124
A. B. 152	124
A. B. 17	127
A. C. R. 36	127
A. J. R. 12	129
A. C. R. 14	129
A. J. R. 18	129
A. J. R. 19	129
A. J. R. 20	129
A. J. R. 24	129
A. J. R. 25	129
A. B. 144	133
A. B. 160	133
A. B. 192	133
A. B. 12	137
A. B. 45	137
A. B. 78	154
S. S. A. B. 41	155
A. B. 102	155
A. B. 141	158
A. B. 27	167
A. B. 25	169
A. B. 136	178
A. J. R. 35	183
A. C. R. 39	188
A. B. 377	191
A. B. 388	193
A. B. 387	193
A. C. R. 42	193
A. J. R. 5	200
A. B. 133	204
A. B. 150	204
A. B. 395	204
A. B. 144	211
A. B. 287	213
A. B. 293	214
A. B. 56	215
A. B. 220	223
A. B. 308	223
A. B. 317	223
A. B. 240	224
A. B. 257	224
A. B. 228	224
A. B. 573	224
A. B. 303	226
A. B. 243	227
A. B. 269	233
A. B. 188	236
A. B. 248	236
A. B. 253	236
A. B. 265	236
A. B. 49	238
A. B. 204	241
A. B. 428	244
A. B. 148	245
A. J. R. 40	246

ASSEMBLY BILLS, RESOLUTIONS, ETC., PASSED. A. B. 212.....	248
A. B. 336.....	249
A. J. R. 11.....	249
A. B. 203.....	251
A. B. 225.....	251
A. C. R. 52.....	258
A. B. 191.....	258
A. B. 192.....	258
A. B. 184.....	258
A. B. 67.....	259
A. B. 109.....	259
A. B. 98.....	259
A. B. 237.....	260
A. B. 295.....	260
A. B. 470.....	272
A. B. 147.....	277
A. B. 40.....	278
A. B. 542.....	280
A. C. R. 54.....	280
A. B. 439.....	283
A. B. 516.....	284
A. B. 107.....	288
A. B. 124.....	288
A. B. 71.....	288
A. B. 334.....	288
A. B. 75.....	292
A. B. 329.....	295
A. B. 87.....	301
A. J. R. 28.....	301
A. B. 182.....	302
A. B. 416.....	302
A. B. 580.....	302
A. B. 94.....	302
A. B. 406.....	305
A. C. R. 58.....	306
A. B. 207.....	308
A. B. 427.....	315
A. B. 513.....	315
A. B. 346.....	315
A. B. 360.....	315
A. C. R. 61.....	316
A. B. 200.....	318
A. B. 379.....	319
A. B. 465.....	319
A. B. 90.....	319
A. B. 322.....	319
A. B. 205.....	319
A. B. 399.....	319
A. B. 386.....	320
A. B. 234.....	322
A. B. 11.....	325
A. B. 436.....	326
S. S. A. B. 153.....	328
A. B. 236.....	329
A. B. 180.....	331
A. B. 102.....	333
A. B. 432.....	337
A. B. 380.....	337
A. B. 461.....	337
S. A. B. 34 and 52.....	344
A. J. R. 10.....	344
A. B. 339.....	344
A. C. R. 63.....	349
A. C. R. 51.....	355
A. B. 355.....	355
A. B. 354.....	358
A. B. 258.....	358
A. B. 398.....	358
A. B. 205.....	359
A. B. 80.....	359
A. B. 403.....	359
A. B. 399.....	359

ASSEMBLY BILLS, RESOLUTIONS, ETC., PASSED. A. B. 396.....	359
A. B. 181.....	359
A. B. 440.....	360
A. B. 444.....	360
A. B. 448.....	360
A. B. 449.....	360
A. B. 489.....	360
A. B. 201.....	360
A. B. 402.....	360
A. B. 446.....	360
A. B. 450.....	360
A. B. 487.....	360
A. B. 193.....	361
A. B. 462.....	361
A. B. 484.....	361
A. B. 502.....	362
A. B. 503.....	362
A. B. 509.....	362
A. B. 531.....	362
A. B. 559.....	360
A. B. 560.....	362
A. J. R. 57.....	368
A. B. 314.....	372
A. B. 177.....	373
A. B. 492.....	376
A. C. R. 64.....	378
A. B. 527.....	379
A. J. R. 3.....	380
A. J. R. 32.....	380
A. J. R. 43.....	380
A. J. R. 44.....	380
A. J. R. 46.....	380
A. J. R. 50.....	380
A. J. R. 55.....	380
A. J. R. 62.....	380
A. B. 637.....	382
A. B. 314.....	383
A. B. 623.....	383
A. B. 590.....	383
A. B. 570.....	389
A. B. 331.....	389
A. J. R. 45.....	389
A. B. 596.....	390
A. B. 318.....	390
A. B. 621.....	392
A. B. 122.....	392
A. B. 614.....	392
A. B. 300.....	398
A. B. 532.....	399
A. B. 103.....	399
A. J. R. 66.....	399
A. B. 468.....	401
A. B. 569.....	401
A. B. 573.....	401
A. B. 373.....	402
A. B. 183.....	405
A. B. 376.....	407
A. B. 644.....	407
A. B. 500.....	407
A. B. 266.....	407
A. B. 73.....	412
A. B. 312.....	416
A. B. 268.....	417
A. B. 653.....	422
A. B. 504.....	422
A. B. 754.....	422
A. B. 739.....	422
A. B. 631.....	425
A. B. 384.....	425
A. B. 520.....	425
A. B. 572.....	425
A. B. 242.....	425

ASSEMBLY BILLS, RESOLUTIONS, ETC., PASSED. A. B. 562	425
A. B. 605	425
A. B. 252	426
A. B. 266	426
A. B. 337	426
A. B. 343	426
A. B. 393	427
A. B. 469	427
A. B. 622	427
A. B. 680	431
A. B. 679	431
A. B. 652	432
A. B. 536	432
A. B. 691	432
A. B. 692	432
A. B. 676	432
A. B. 677	432
A. B. 429	432
A. C. R. 59	435
A. B. 628	435
A. B. 659	435
A. B. 715	435
A. B. 471	440
A. B. 582	440
A. B. 306	440
A. B. 658	440
A. B. 526	441
A. B. 397	441
A. B. 655	441
A. B. 793	445
A. B. 696	445
A. B. 695	445
A. B. 612	447
A. B. 274	449
A. B. 111	450
A. B. 667	450
A. B. 665	450
A. B. 663	450
A. B. 668	450
A. B. 408	451
A. B. 657	451
A. B. 521	451
A. B. 585	451
A. B. 495	451
A. B. 748	451
A. B. 459	452
A. B. 651	452
A. B. 412	452
A. B. 676	458
A. B. 677	458
A. B. 565	458
A. B. 648	458
A. B. 319	458
A. B. 643	463
A. B. 529	463
A. B. 700	463
A. B. 9	463
A. B. 789	463
A. B. 756	464
A. B. 247	469
A. B. 420	469
A. B. 475	469
A. B. 496	469
A. B. 442	469
A. B. 425	469
A. B. 424	469
A. B. 602	469
A. B. 536	470
A. B. 679	470
A. B. 680	470
A. B. 691	470
A. B. 692	470

ASSEMBLY BILLS, RESOLUTIONS, ETC., PASSED. A. B. 474	470
A. B. 555	470
A. B. 437	470
A. B. 494	470
A. B. 548	470
A. B. 594	471
A. B. 658	471
A. B. 690	471
A. J. R. 59	471
A. B. 363	472
A. B. 288	472
A. J. R. 65	472
A. J. R. 67	472
A. B. 787	472
A. B. 744	474
A. B. 749	474
A. B. 814	474
A. B. 143	476
A. B. 785	476
A. B. 165	477
A. B. 639	477
A. B. 587	477
A. B. 473	477
A. B. 712	477
A. B. 522	477
A. B. 727	477
A. B. 798	478
A. B. 662	478
A. B. 741	478
A. B. 734	478
A. B. 666	478
A. B. 664	478
A. B. 802	478
A. B. 743	478
A. B. 685	478
A. B. 15	479
A. B. 711	479
A. B. 46	480
A. B. 796	480
A. B. 788	483
A. B. 790	483
A. B. 791	483
S. A. B. 173	484
A. B. 375	484
A. B. 417	484
A. B. 353	485
A. B. 261	487
A. B. 768	487
A. B. 731	487
A. B. 732	487
A. B. 763	488
A. B. 730	488
A. B. 577	488
A. C. R. 70	489
A. B. 742	491
A. B. 740	491
A. B. 477	498
A. B. 750	498
A. B. 812	498
A. B. 770	498
A. B. 198	498
A. B. 755	501
A. B. 724	501
A. B. 567	503
A. B. 713	511
A. B. 816	511
A. B. 656	511
A. B. 669	511
A. B. 792	511
A. B. 821	512
A. B. 326	512
A. B. 779	513

ASSEMBLY BILLS, RESOLUTIONS, ETC., PASSED. A. B. 485.....	513
A. B. 545.....	513
A. B. 321.....	513
A. B. 817.....	516
A. B. 780.....	516
A. B. 603.....	517
A. B. 296.....	519
A. B. 820.....	519
A. B. 769.....	519
A. C. R. 72.....	521
S. A. B. 113.....	522
A. B. 632.....	522
A. B. 477.....	522
A. B. 315.....	522
A. B. 369.....	522
A. B. 554.....	522
A. B. 178.....	523
A. B. 584.....	523
A. B. 543.....	523
A. B. 218.....	527
A. B. 723.....	527
A. B. 325.....	528
A. B. 407.....	528
A. C. R. 71.....	532
A. B. 615.....	532
A. B. 813.....	532
A. B. 175.....	532
A. B. 842.....	532
A. B. 837.....	532
A. B. 833.....	532
A. B. 819.....	533
A. B. 759.....	534
A. B. 292.....	534
A. B. 558.....	535
A. B. 302.....	535
A. B. 336.....	535
A. B. 574.....	536
A. B. 254.....	536
A. B. 834.....	545
A. B. 800.....	545
A. C. R. 75.....	545
A. B. 854.....	546
A. B. 537.....	548
A. C. R. 76.....	548
A. C. R. 74.....	548
A. J. R. 73.....	548
A. B. 580.....	548
A. B. 832.....	554
S. A. B. 707.....	555
A. B. 840.....	555
A. B. 523.....	555
A. B. 324.....	555
A. B. 774.....	555
A. B. 856.....	555
S. A. B. 581.....	555
A. B. 262.....	558
A. B. 825.....	558
A. S. S. B. 604.....	558
A. B. 630.....	561
A. B. 855.....	561
A. B. 790.....	561
A. B. 835.....	562
A. B. 846.....	562
A. B. 405.....	562
A. B. 283.....	566
A. B. 46.....	566
A. B. 568.....	566
A. B. 806.....	566
A. B. 364.....	566
A. B. 298.....	572
A. B. 818.....	572
A. B. 829.....	572

ASSEMBLY BILLS, RESOLUTIONS, ETC., PASSED. A. B. 698.....	572
A. C. R. 77.....	572
A. B. 278.....	573
A. B. 686.....	573
A. B. 82.....	573
ASSEMBLY MESSAGES. Action on A. B. relative to organization.....	13
Adopting S. C. R. 1—Informing Governor.....	13
Appointment of committee under S. C. R. 1.....	16
Reception of Governor's message.....	30
Passed A. B. 32—Powers of Supervisors of Mariposa County.....	49
Passed A. B. 5—Bonds of Treasurer of Del Norte County.....	50
Passed A. B. 6—Term of Court in Del Norte County.....	50
Passed A. B. 27—Relative to Santa Clara Valley Agricultural Society.....	50
Vote for United States Senator.....	50
Passed A. B. 20—Wild animals in Mendocino, etc.....	50
Passed A. B. 37—Road Fund in Butte County.....	62
Passed A. B. 55—Assessment roll, Sutter County.....	65
Passed A. B. 50—Salary of County Judge, Mono County.....	65
Passed A. B. 72—Highways in Los Angeles.....	69
Adopted report of Committee on Joint Rules.....	69
Passed A. B. 49—Roads in Butte County.....	69
Passed A. B. 74—Court-house and Jail in Monterey County.....	80
Passed A. B. 58—Amending Section 3764 of the Political Code.....	85
Passed A. B. 15—Relative to health of Sacramento.....	85
Passed A. B. 78—Bridge bonds in Mendocino County.....	85
Passed A. B. 12—Transfer of Funds, Alameda County.....	85
Passed A. B. 40—Acts of Supervisors of Lake County.....	85
Passed A. B. 41—County and Probate Courts, Lake County.....	85
Passed A. B. 3—Compensation of officers of Colusa County.....	85
Passed A. B. 7—School Trustees Lake County.....	85
Passed A. B. 54—Hogs and goats in Weaverville.....	91
Passed A. B. 123—Road bonds, Plumas County.....	98
Passed A. B. 57—Terms of Courts, San Mateo County.....	98
Passed A. B. 102—Claim of Abner D. Sevier, Humboldt County.....	98
Passed A. B. 13—Amending Section 4024, Political Code.....	98
Passed A. B. 152—Tearing down fencing.....	98
Passed A. B. 163—Hogs running at large.....	104
Passed A. B. 118—Amending Section 1774, Code of Civil Procedure.....	104
Passed A. B. 140—Measure of damages in certain cases.....	104
Passed A. B. 85—Amending Section 3468, Political Code.....	104
Passed A. B. 79—Legalizing incorporation of Anaheim.....	104
Passed A. B. 170—Levees in San Joaquin County.....	104
Passed A. B. 96—Incorporating Sonora, Tuolumne County.....	104
Passed A. B. 167—Incorporating Town of Mendocino.....	104
Announcing Professor Davidson's lecture.....	104
Passed A. B. 65—Amending Section 60, Civil Code.....	108
Passed A. B. 80—Amending Section 882, Penal Code.....	108
Passed A. B. 35—Amending Section 2832, Civil Code.....	108
Passed A. B. 104—Supervisors, San Luis Obispo County.....	108
Passed A. B. 84—Highways, San Diego County.....	108
Passed A. B. 17—Amending Section 3617, Political Code.....	108
Passed A. B. 107—Amending Section 259, Code of Civil Procedure.....	108
Passed S. B. 181—Taxes in Calaveras County.....	108
Refused to concur in S. C. R. 25—Relative to death of Victor Emanuel.....	108
Passed A. J. R. 17—Homesteads for soldiers and sailors.....	115
Passed A. J. R. 14—Harbor, San Luis Obispo.....	115
Passed A. J. R. 20—Crescent City Harbor.....	115
Passed A. J. R. 12—Wilmington Harbor.....	116
Passed A. J. R. 19—Mokelumne River.....	116
Passed A. J. R. 25—Mails in San Luis Obispo.....	116
Passed A. J. R. 18—Pensions to Mexican war soldiers.....	116
Passed A. J. R. 24—Indian affairs.....	116
Passed A. J. R. 5—Chinese immigration.....	116
Passed A. B. 11—School Department, Oakland.....	116
Passed A. B. 109—Transfer of fund, State treasury.....	116
Passed A. B. 145—Butte County School District.....	116
Concurred in Senate amendment to A. B. 74.....	122
Passed A. B. 67—Relief of Julius Blume.....	122
Passed A. B. 98—Appropriations for deficiencies.....	122
Passed A. B. 63—Sewers in Sacramento.....	122
Passed A. B. 110—El Dorado County to pay Edward Hunt.....	122
Passed A. B. 190—Amending Section 1917, Civil Code.....	127

ASSEMBLY MESSAGES. Passed A. B. 120—Relative to water-works of San Francisco	134
Passed A. B. 204—Hogs at large	141
Passed A. B. 221—Contract by City of Monterey	141
Passed A. B. 73—West Side Irrigation District	141
Passed A. B. 25—Amending Section 2567, Political Code	143
Passed A. B. 122—Roads in Butte County	143
Passed A. B. 136—Amending Sections 752, 753, 754, and 755, Political Code	143
Amended and passed S. B. 45—School Trustees in Santa Barbara County	143
Passed A. B. 141—Relative to delinquent taxes in certain counties	150
Passed A. B. 191—Relative to Constables in Alameda County	153
Passed A. B. 192—Executions from Justices in Alameda County	153
Passed A. B. 56—North Butte School District	153
Passed A. B. 139—Relative to Grand Juries in San Francisco	153
Passed A. B. 198—Relative to division fences in Sonoma County	153
Passed A. B. 133—Amending Section 2872, Civil Code	166
Passed A. B. 277—Bonded indebtedness of El Dorado County	166
Passed A. B. 270—School moneys, Contra Costa County	166
Passed A. B. 274—Great Register in Fresno County	166
Passed A. B. 39—Fees of jurors, Humboldt County	166
Passed A. B. 59—Trespassing of animals, Tehama County	167
Passed A. B. 128—Quality and standard of illuminating power of gas	167
Passed A. B. 71—Claim of Robert, Ruggio, and Colrig	167
Passed A. B. 287—Amending Section 199, Political Code, legal distances	167
Passed A. B. 222—Supervisors of Yolo and Solano Counties	167
Passed A. B. 30—Add section to Penal Code, opium smoking	181
Passed A. B. 93—Adding a section to Penal Code	181
Passed A. B. 156—Amend Sections 266 and 275, seductions and abortions	181
Passed A. B. 214—Amend Section 974, Code of Civil Procedure, appeals	181
Passed A. B. 220—Amend Section 1291, Penal Code, prisoners to bail	181
Passed A. B. 144—Fees of office, San Bernardino County	181
Passed A. B. 234—Extermination of squirrels, San Mateo County	181
Passed A. B. 243—Booms in Humboldt Bay	181
Passed A. B. 206—Court Commissioner, Sacramento County	187
Passed A. B. 16—Relative to government of City of Sacramento	187
Passed A. B. 148—Salary of Treasurer of Inyo County	187
Passed A. B. 293—Supervisors of Colusa County	187
Passed A. B. 90—Artesian wells	187
Passed A. B. 195—Cheese factories	188
Passed A. B. 269—Funds to Clerk of San Diego County	188
Passed A. B. 273—Name of town in Amador County	188
Passed A. B. 303—Auditor and Recorder in Counties of Fresno, Tulare, and Kern	188
Passed A. B. 250—Road district in Santa Barbara	188
Passed A. B. 203—Police Contingent Fund	188
Passed A. B. 184—Charters of San Francisco	188
Passed A. B. 188—Amend Section 581, Code of Civil Procedure, relative to non-suit, and dismissal of cases	188
Passed A. B. 124—Relief of Rierdon, Kenny, Donohue, and Jourden	188
Passed A. B. 212—Justices' fees	188
Passed A. B. 268—Relief of Garretson, Assessor of Santa Barbara	188
Passed A. B. 162—Amend Section 853, Code of Civil Procedure	188
Passed A. B. 254—Relief of Colusa County	188
Passed A. B. 317—Improvement of Oakland Harbor	188
Passed A. B. 166—Witnesses in Placer County	188
Passed A. B. 308—Road Overseers in Alameda and San Mateo	188
Passed A. B. 336—Assessor's office of El Dorado	188
Passed A. B. 248—Add Section 926 to Code of Civil Procedure	188
Passed A. B. 265—Amend Code of Civil Procedure, relative to voluntary dissolutions of corporations	188
Passed A. B. 253—Amend Section 3465, Civil Code, relative to omission to record certain assignments	188
Passed A. B. 334—Juries in Alpine County	188
Passed A. B. 240—Clerk and Recorder of Merced County	188
Passed A. B. 377—Special election in Seventh Senatorial District	188
Passed A. B. 388—County buildings, etc., Alameda County	193
Passed A. B. 387—Levee Commissioners, Sacramento County	193
Passed A. B. 235—Roads in Placer County	201
Passed A. B. 357—Supervisors of Nevada County to remove dead bodies	201
Passed A. B. 153—Increase of police, San Francisco	201
Passed A. B. 187—Amend Section 497, Civil Code	201
Passed A. B. 395—Concerning special elections	204
Passed A. B. 207—Trespass of animals	208
Passed A. B. 329—Training ship	209

ASSEMBLY MESSAGES. Passed substitute for A. B. 94—Fees of officers, Sonoma County	228
Passed A. B. 416—Terms of County Court, San Joaquin County	238
Passed A. B. 428—Assessor of Sacramento County	238
Passed A. B. 146—Amending the Political Code	253
Passed A. B. 82—To increase the number of Supervisors for San Francisco	253
Passed A. B. 119—Regulating water rates	253
Passed A. B. 295—Tax Collector, Marin	254
Passed A. B. 302—Amend Political Code, relative to school law	254
Passed A. B. 490—Payment of claims against Santa Cruz	254
Passed A. B. 147—Supervisors of Plumas County	254
Concurred in Senate amendments to A. B. 267	254
Concurred in Senate amendments to A. B's 148 and 336	261
Passed A. B. 233—Amend Section 1750 of Political Code, relative to certificates without examination	261
Passed A. B. 264—Amend Section 1713, Political Code	261
Passed A. B. 83—Prohibiting Piece Clubs	261
Passed A. B. 182—Bogus election tickets	261
Passed A. B. 433—Board of Bank Commissioners	267
Concurred in Senate amendments to A. B. 128	267
Passed A. B. 314—Alms-house, Los Angeles	272
Passed A. B. 282—Hogs at large, Lake County	272
Passed A. B. 306—New City Hall, San Francisco	272
Passed A. B. 345—Protect Town of Fresno against fire	272
Passed A. B. 75—St. Francis' Church, San Francisco	272
Passed A. B. 261—Ratify Ordinance 1190, San Francisco	273
Passed A. B. 292—Justices of the Peace, Yuba County	273
Passed A. B. 129—Relief of Marks, Burke, Deardorff, and Hadley	273
Passed A. B. 354—Relief of Joseph O'Neil	273
Passed A. B. 406—Trustees of Sacramento City	273
Passed A. B. 398—Trespassing of animals, San Diego	273
Passed substitute for A. B's 34 and 52—National Guard	273
Passed A. B. 439—Fees of officers in San Diego County	280
Passed A. B. 245—Claim of Dionisio Botillo	280
Passed A. B. 322—Sewer in Santa Clara	280
Passed A. B. 87—Yuba County, Road Overseers and taxes	280
Passed A. B. 436—Constitutional Convention	280
Passed A. B. 542—Colusa County Supervisors, repealing Act	280
Concurred in Senate amendments to A. B. 237	284
Passed A. B. 516—Fees of officers in Modoc County	284
Passed A. B. 339—Code of Civil Procedure, deposition of material witnesses	284
Passed A. B. 575—Road and poll tax, Crescent City, Del Norte County	293
Passed A. B. 580—Supervisors of Santa Cruz County	293
Passed A. B. 528—School Districts, Nevada and Placer Counties	303
Passed A. B. 88—Amending Section 307, Civil Code	303
Passed S. A. B's 430 and 481—Attorney for Sacramento City	303
Concurred in Senate amendments to A. B. 245	306
Passed A. B. 186—Elections in San Francisco	306
Passed A. B. 379—Common Council of the City of Eureka, Humboldt County, to sit as a Board of Equalization	312
Passed A. B. 260—Incorporate the Town of Felton, in the County of Santa Cruz	312
Passed A. B. 383—Re-incorporate the City of Napa	312
Passed A. B. 205—Incorporate the Town of Anaheim	312
Passed A. B. 346—Board of Supervisors of Fresno County to improve the Court-house and County Hospital grounds	312
Passed A. B. 111—Sheep and goats at large in certain portions of Lake County	313
Passed A. B. 360—Transfer of moneys by the Treasurer of Alameda County to and from the State treasury	313
Passed A. B. 236—Sheep in the County of Modoc	313
Passed A. B. 373—Irrigation in the Township of Los Nietos, in the County of Los Angeles	313
Passed A. B. 200—Salaries of certain officers in Mendocino	313
Passed A. B. 399—Amend Section 3747 of the Political Code, in relation to the collection of taxes in Los Angeles	313
Passed A. B. 312—Wagon road in Marin	313
Passed A. B. 404—Superintendent of Schools of Mendocino County	313
Passed A. B. 181—Bonds of the City of San Luis Obispo	313
Passed A. B. 427—Board of Trustees of Meridian School District, in the County of Sutter	313
Passed A. B. 422—Contingent fund for Trinity County	313
Passed A. B. 421—Hogs found running at large	313

ASSEMBLY MESSAGES. Refused to concur in Senate amendment to A. B. 386.....	338
Concurrence and non-concurrence in Senate amendments to A. B. 436—Constitutional Convention.....	347
Passed A. B. 300—Sanitary condition of towns and villages.....	348
Passed A. B. 230—Salaries of officers and employés of Legislature.....	348
Concurred in Senate amendments to A. B. 380.....	356
Committee of free conference on A. B. 436.....	356
Committee of free conference on A. B. 386.....	356
Passed A. B. 582—Draw-bridge over Channel Street.....	367
Report of committee of conference on A. B. 386.....	367
Passed A. B. 266—Re-incorporate the City of Petaluma.....	367
Passed A. B. 414—City of Petaluma to provide and maintain public water-works.....	367
Passed A. B. 529—Roads and highways in the County of Fresno.....	367
Passed A. B. 376—Public roads in the County of Mono.....	367
Passed A. B. 408—City of Sacramento.....	367
Passed A. B. 508—Free bridges in the County of Sacramento.....	367
Passed A. B. 389—Incorporate the Town of Berkeley, in Alameda County.....	367
Passed A. B. 596—City of Los Angeles to issue bonds for improving the water supply of said city, and provide for their payment.....	367
Passed A. B. 602—Board of Auditors of El Dorado County.....	367
Passed A. B. 437—Grade of Vallejo Street.....	367
Passed A. B. 527—Supervisors of San Diego County to transfer certain funds of said county.....	367
Passed A. B. 629—Roads and highways in Lake County.....	367
Passed A. B. 644—Board of Supervisors of Fresno County to build certain roads and bridges.....	367
Passed A. B. 520—Public roads in the County of El Dorado.....	367
Passed A. B. 579—Public roads in the County of Mendocino.....	367
Passed A. B. 614—Terms of the members of the Board of Supervisors of Monterey County.....	367
Passed A. B. 637—Supervisors of Alameda County to pay the claim of Edwin Kimball.....	367
Passed A. B. 242—Legalize assessments in Swamp Land District No. 221, and to provide for the collection of taxes.....	367
Passed A. B. 532—For the relief of J. B. Scott.....	367
Passed A. B. 569—School house in the Merced School District, in the County of Merced.....	367
Passed A. B. 573—Supply the Town of Merced with fresh water.....	367
Passed A. B. 572—Officers in Plumas County.....	367
Passed A. B. 590—School house for Tulare School District, in San Joaquin County.....	367
Passed A. B. 410—An Act to provide for the distribution of school moneys in certain counties.....	368
Passed A. B. 172—An Act to prevent conflagrations in the City and County of San Francisco, by limiting the height of wooden buildings and structures of wood therein.....	368
Passed A. B. 616—Sheriff of Colusa County to appoint a Jailor.....	368
Passed A. B. 623—Public and private roads in Colusa County.....	368
Passed A. B. 570—Auditor and Treasurer of Sutter County to cancel certain Controller's warrants.....	368
Passed A. B. 541—Create the office of Commissioner of Transportation.....	368
Passed A. B. 622—Terms of the County and Probate Courts in and for the County of Modoc.....	378
Passed A. B. 179—Street railroads in the State of California.....	378
Passed A. B. 648—Fees and salaries in the County of Los Angeles.....	378
Passed A. B. 349—Reclamation in the County of Colusa, and Yolo County.....	378
Passed A. B. 571—Reorganize Swamp Land District No. 70, of Sutter County.....	378
Passed A. B. 103—Public roads in Santa Clara County.....	378
Passed A. B. 247—Regulate fees of office in certain counties.....	378
Passed A. B. 605—Relief of bondsmen of W. W. Hill, late Treasurer of the County of Fresno.....	378
Passed A. B. 369—Preservation of fish in the waters of Lake Tahoe.....	378
Passed A. B. 621—Board of Supervisors of Modoc County to erect a County Clerk's office.....	378
Concurred in Senate amendments to A. B's 402 and 492.....	385
Passed A. B. 62—Amend Political Code.....	408
Passed A. B. 482—Swamp Land District No. 38.....	408
Passed A. B. 319—Spring School District, in the County of Los Angeles.....	408
Passed A. B. 518—Stock running at large, in the County of Humboldt.....	408
Passed A. B. 420—Goats on inclosed land, in the County of Amador.....	408
Passed A. B. 646—Construction of a wagon road from Downieville, in Sierra County.....	408
Passed A. B. 554—An Act for the relief of Frederick Kuhle.....	408
Passed A. B. 555—To amend Political Code, in relation to mileage.....	408

ASSEMBLY MESSAGES. Passed A. B. 543—For constructing division fences	408
Passed A. B. 374—Gas companies	408
Passed A. B. 130—Relief of Amelia C. Cowne	408
Passed A. B. 441—Code of Civil Procedure, relating to compromise	408
Passed A. B. 442—Code of Civil Procedure, relating to witnesses	408
Passed A. B. 304—Political Code, relative to the taking of books from the State Library	408
Passed A. B. 451—Political Code	408
Passed A. B. 296—Reclamation District No. 2051	408
Passed A. B. 278—Relief of Richard Dudding and William Johnson	408
Passed A. B. 375—Civil Code, relating to corporations	408
Passed A. B. 326—Delinquent taxes, and settlement of County Treasurers with the Controller of State	408
Passed A. B. 647—A wagon road in Sierra County	409
Passed A. B. 232—Savings bank	409
Passed A. B. 328—Estates of deceased persons	409
Passed A. B. 311—Qualifications of District Attorneys	409
Passed A. B. 363—Liens for services	409
Passed A. B. 475—Navigable waters of this State	409
Passed A. B. 350—To prevent impositions from being practiced on settlers by fraudulent publications	409
Passed A. B. 473—Delinquent purchases of school lands	409
Passed A. B. 565—Claim of P. K. Stockton	409
Passed A. B. 89—Disposition of State lands	409
Passed A. B. 271—Code of Civil Procedure	409
Passed A. B. 435—Concerning the sale of artificial or spurious honey	409
Passed A. B. 496—Election of directors of corporations	409
Passed A. B. 159—Penal Code, change of place of trial	409
Passed A. B. 189—Penal Code, in reference to injuries to person and property	409
Passed A. B. 352—Adulterated syrup	409
Passed A. B. 595—Political Code, duties of County Auditors	409
Passed A. B. 639—State Insane Asylum	409
Passed A. B. 564—To purchasers of lands for delinquent taxes	409
Passed A. B. 452—Code of Civil Procedure, in relation to appeals to the Supreme Court	409
Passed A. B. 561—Publication of statements of unclaimed accounts and dividends	409
Passed A. B. 485—Rifle practice	409
Passed A. B. 494—Returns of militia to County Assessors	409
Passed A. B. 455—Adulteration of coffee	409
Passed A. B. 636—Political Code, Boards of Trustees and of Education	409
Passed A. B. 325—Registration of policies of life insurance	409
Passed A. B. 603—Relief of Edward Christy	409
Passed A. B. 218—John J. Wesselhoft to redeem certain lands	409
Passed A. B. 353—Protect stockholders and persons dealing with corporations in this State	409
Passed A. B. 617—Tax Collectors and administrators of intestate estates	409
Passed A. B. 424—Political Code, relative to the oath of office of Notaries	409
Passed A. B. 425—Political Code, relative to the oath of office of County Judges and County Clerks	409
Passed A. B. 423—Code of Civil Procedure, relative to default in Justices' Courts	410
Passed A. B. 412—John D. Justice to purchase lands from the State	410
Passed A. B. 173—Mutual fire insurance companies	410
Passed A. B. 601—Surveyor-General to collect from the United States moneys	410
Passed A. B. 540—Political Code	410
Passed A. B. 574—Napa State Asylum for the Insane	410
Passed A. B. 453—County Clerk of Santa Barbara County	410
Passed A. B. 385—Political Code, concerning equalization of assessments	410
Passed A. B. 165—Public health	410
Concurred in Senate amendments to A. B's 300, 596, 373, 314, 318, and 503	410
Passed A. B. 739—Fees of office and salaries, County of Sonoma	419
Passed A. B. 657—Public alley, sewers therein, in the City of Sacramento	419
Passed A. B. 405—Hickory Avenue, between Gough and Octavia Streets, in San Francisco	419
Passed A. B. 653—Salaries of officers in Modoc County	419
Passed A. B. 594—Free dispensary in the City and County of San Francisco	419
Passed A. B. 632—To John C. Boggs a reward	419
Passed A. B. 504—Town of Woodland	419
Passed A. B. 703—Government of the County of San Diego	419
Passed A. B. 407—Political Code, in relation to insurance	419
Passed A. B. 688—Salaries of officers of Butte County	419
Passed A. B. 464—Redemption by delinquent owners of property sold to the State	419

ASSEMBLY MESSAGES. Passed A. B. 515—Preserve the name of a street in the City and County of San Francisco	419
Passed A. B. 558—Road warrants of Sacramento County	419
Passed A. B. 652—Town of San Rafael	419
Passed A. B. 612—Modesto Irrigation District	419
Passed A. B. 536—Salary of certain officers of San Mateo County	419
Passed A. B. 223—San Francisco to open Sixteenth Street	419
Passed A. B. 691—Supervisors of the County of San Mateo	419
Passed A. B. 692—Fees of Justices of the Peace in Colusa County	419
Passed A. B. 390—Political Code, in relation to the registration of voters	419
Passed A. B. 454—County of Santa Barbara	419
Passed A. B. 587—Re-incorporate the City of Santa Cruz	419
Passed A. B. 584—Railroad from the Town of Truckee, Nevada County, to Tahoe City, Lake Bigler	419
Passed A. B. 548—Guard duty by National Guard	420
Passed A. B. 143—Swamp Land District No. 2	420
Passed A. B. 677—Official bonds of Colusa County	420
Passed A. B. 676—Board of Supervisors of Colusa County	420
Passed A. B. 526—Indebtedness of San Diego County	420
Passed A. B. 655—Bridge across the Tuolumne River at the Town of Modesto	420
Passed A. B. 556—Government of the Town of San Diego	420
Passed A. B. 577—County officers of Monterey County	420
Passed A. B. 679—City of Santa Barbara	420
Passed A. B. 680—City of Santa Barbara	420
Passed A. B. 685—Salaries of officers of El Dorado County	420
Passed A. B. 669—Hunting on inclosed lands	420
Passed A. B. 690—Sealing logs in the County of Humboldt	420
Passed A. B. 351—Property sold for taxes in Plumas County	420
Passed A. B. 686—County of El Dorado into revenue districts	420
Passed A. B. 223—San Francisco to open Sixteenth Street	420
Passed A. B. 289—Text-books in the public schools	420
Passed A. B. 753—Relief of schools in the flooded district	420
Concurred in Senate amendments to A. B. 73	421
Refused to concur in Senate amendments to A. B. 500	421
Passed A. B. 643—Repairing of streets and sewers in the City and County of San Francisco, in case of urgent necessity	433
Passed A. B. 687—Refund moneys to the County of Mendocino	433
Passed A. B. 705—Board of Supervisors of the County of Butte	433
Passed A. B. 661—Court-house offices, and Jail in Napa County	433
Passed A. B. 663—Board of Supervisors of Napa County	433
Passed A. B. 665—Officers in the County of Napa	433
Passed A. B. 667—Squirrels, gophers, and other wild animals	433
Passed A. B. 628—Baker Street graded	433
Passed A. B. 567—Booms in Elk River	433
Passed A. B. 700—Sheriff of Butte County	433
Passed A. B. 9—Grade of certain streets in the City and County of San Francisco	433
Passed A. B. 711—School moneys in Fresno County	433
Passed A. B. 658—Squirrels and gophers in the County of San Joaquin	433
Passed A. B. 651—Road Overseers in Marin County	434
Passed A. B. 735—Repealing the Act authorizing Isaac Bluxom to remove from his private property, in Sonoma County, dead bodies to a public graveyard	434
Passed A. B. 113—Paid Fire Department of the City and County of San Francisco	434
Passed A. B. 585—Salaries and compensation of certain officers of San Luis Obispo County	434
Passed A. B. 662—Sheriff of Alameda County	434
Passed A. B. 659—Town of Chico, Butte County	434
Passed A. B. 713—Delinquent taxes in the County of Alpine	434
Passed A. B. 715—Re-incorporate the City of Sonora	434
Passed A. B. 737—Supervisors of the County of Contra Costa	434
Passed A. B. 545—San Francisco to open Valencia Street	434
Passed A. B. 522—Levee District No. 1, of Sacramento	434
Passed A. B. 521—Sacramento the power to construct canals and levees	434
Passed A. B. 751—Incorporate the City of Monterey	434
Passed A. B. 748—Board of Supervisors of Mendocino County	434
Passed A. J. R. 67—Relative to a weekly mail route from the county seat of Fresno County, via Liberty, to Waltham Cañon, Fresno County	434
Passed A. B. 668—Supervisors of Napa County	434
Passed A. B. 566—Scotch and Canada thistle	434
Passed A. B. 495—Town of San Buenaventura	434
Passed A. B. 239—Collection of delinquent taxes in the City and County of San Francisco	434
Passed A. B. 486—Concerning gas companies	434

ASSEMBLY MESSAGES. Passed A. B. 204—Pay claims of Mary A. Springer	455
Concurred in report of Committee of Conference on A. B. 436—Constitutional Convention	442
Passed A. B. 600—Protect stockholders	452
Passed A. B. 785—Smith River navigable	453
Passed A. B. 787—Regulate and protect bee-keeping in the County of San Bernardino	453
Passed A. B. 789—Board of Supervisors of Colusa County	453
Passed A. B. 792—Repairs of and furnishing the State Capitol	453
Passed A. B. 793—School District	453
Concurred in Senate amendments to A. B's 343, 384 and 631	453
Passed A. B. 22—Branch State Prison at Folsom	453
Passed A. B. 493—Supervisors of the County of San Mateo to take and subscribe to the capital stock of a railroad in said county	453
Passed A. B. 730—Fees of Recorder of San Luis Obispo County	453
Passed A. B. 731—Salaries of officers of San Luis Obispo County	453
Passed A. B. 752—The trespassing of animals upon private property in the County of Fresno	453
Passed A. B. 756—Juries and witnesses, County of Santa Cruz	453
Passed A. B. 696—Reclamation District No. 252	453
Passed A. B. 695—Reclamation District No. 54	453
Passed A. B. 764—Appropriations for the support of the Government of the State of California	455
Passed A. B. 763—Roads and streets within the City of San Luis Obispo	455
Passed A. B. 802—Election of Supervisors in the County of Mendocino	455
Passed A. B. 321—Certain property within the City and County of San Francisco	455
Passed A. B. 780—West Side Irrigation District	455
Passed A. B. 814—Reclamation District No. 317	473
Passed A. B. 431—Delinquent taxes and street assessments of the City of Sacramento	473
Passed A. B. 656—Election for officers of the City of Sacramento	473
Passed A. B. 717—Widening the public road leading from the City of Sacramento to the American River bridge	473
Passed A. B. 649—Sewerage system of the City and County of San Francisco	473
Passed A. B. 779—Supply the Town of Orville with water for fire purposes	473
Passed A. B. 743—Salaries of certain officers of the County of Stanislaus	473
Passed A. B. 734—Extermination of squirrels in the County of Los Angeles	473
Passed A. B. 741—Pay of Supervisors in the County of Alameda	473
Passed A. B. 742—Hogs from running at large in County of Amador	473
Passed A. B. 511—Hogs running at large in the Town of Shasta	473
Passed A. B. 749—Absence from the State to G. W. Hughes, County Assessor of the County of Ventura	473
Passed A. B. 750—Mad River and its north fork, in Humboldt County	473
Passed A. B. 666—Public roads in Napa County	473
Passed A. B. 664—Public roads in Napa County	473
Passed A. B. 732—Mission School District, in the County of San Luis Obispo	473
Passed A. B. 727—Incorporate the Town of Yuba City	474
Passed A. B. 681—Municipal taxes upon personal property in the City and County of San Francisco	474
Passed A. B. 712—Salary of the County Judge of San Joaquin County	474
Passed A. B. 744—Clerk of the Supreme Court to make a general analytical index	474
Passed A. B. 768—King's River Switch School District	474
Passed A. B. 740—Sewerage for the City of Santa Cruz	474
Passed A. B. 798—Transfer of certain funds in the County of Sutter	474
Passed A. B. 769—Re-incorporate the City of Napa	474
Passed A. B. 770—Incorporate the Town of St. Helena	474
Passed A. B. 812—Trespassing of animals upon private lands in certain counties	474
Adopted the report of the Committee of Free Conference on A. B. 500	474
Refused to concur in Senate amendments to A. B. 433	474
Concurred in Senate amendments to A. B's 612, 529, 111, 680, 474, 690, 693, 274, and 648	480
Passed A. B. 788—Roads in San Mateo County	479
Passed A. B. 790—Division fences, San Mateo County	479
Passed A. B. 791—Courts in San Mateo County	479
Passed A. B. 760—School moneys in Yolo County	479
Passed A. B. 796—Goats in Plymouth, Amador County	480
Passed A. B. 786—Sheep in Fresno County	480
Passed A. B. 797—Roads in Humboldt County	488
Passed A. B. 568—Pay for listing lands, etc.	488
Passed A. B. 723—Supervisors, San Francisco	488
Passed A. B. 784—Amend Political Code	500
Passed A. B. 755—Overflow in Yuba County	500

ASSEMBLY MESSAGES. Passed A. B. 821—Business cooperative corporations.....	500
Passed A. B. 608—Rights of draymen, San Francisco.....	500
Passed A. B. 609—Roads in Sacramento County.....	500
Passed A. B. 394—Mining industries and stock gambling.....	500
Passed A. B. 724—Political Code, poll taxes.....	500
Passed A. B. 315—Political Code, elections.....	500
Concurred in Senate amendments to A. B's 165, 639, 577, 375, 9, 587, 477, 173, 785, and 685.....	507
Refused to concur in amendment to A. B. 15.....	507
Passed A. B. 816—Indebtedness of Mendocino County.....	515
Passed A. B. 817—Supervisors of San Bernardino County.....	515
Passed A. B. 819—Water in Napa City.....	515
Passed A. B. 820—Roads in Napa County.....	515
Passed A. B. 811—Dutch Slough navigable.....	516
Passed A. B. 581—Sacramento Drainage District.....	516
Passed A. B. 863—Board of Education, City of Sacramento.....	516
Passed A. B. 716—Supervisors, Sacramento.....	521
Concurred in Senate amendment to A. B. 119.....	531
Passed A. B. 615—Records of Monterey.....	531
Passed A. B. 813—Swamp land in City of Sacramento.....	531
Passed A. B. 759—Condemnation of lands for public use.....	531
Passed A. B. 175—Park Commissioners, San Francisco.....	531
Passed A. B. 550—Redemption of property sold for taxes.....	531
Passed A. B. 825—Salaries of officers, Santa Barbara.....	531
Passed A. B. 852—Incorporate Town of Fresno.....	531
Passed A. B. 831—Supervisors of Monterey County.....	532
Passed A. B. 710—Amend Code of Civil Procedure.....	532
Passed A. B. 842—A County Hospital.....	532
Passed A. B. 837—North Butte School District, Sutter County.....	532
Passed A. B. 833—Levee District in Placer, Yuba, and Sutter.....	532
Refused to concur in amendments to A. B. 769.....	532
Refused to concur in amendments to A. B. 178.....	532
Passed A. B. 364—Supervisors, Trinity County.....	541
Passed A. B. 491—Animals at large in Sonoma County.....	541
Passed A. B. 829—Highways in San Joaquin County.....	542
Passed A. B. 834—Terms of Court, Third District.....	542
Passed A. B. 800—Board of Education, Oakland.....	542
Passed A. B. 835—Deficiency Bill.....	542
Passed Substitute for A. B's 1 and 100—Reservations, San Francisco.....	542
Concurred in amendments to A. B's 425 and 153.....	542
Passed A. B. 578—School system.....	542
Passed A. B. 539—Restitution of money paid for land, etc.....	542
Passed A. B. 324—Relief of Safford.....	542
Passed A. B. 854—Conservation of the public peace.....	542
Concerning amendments to A. B. 764—Appropriation.....	542
Passed A. B. 845—School Fund, Alameda.....	544
Passed A. B. 847—Roads in Yolo.....	544
Passed A. B. 818—Salary of Mayor's Clerk, San Francisco.....	544
Passed A. B. 850—Water-works, San Francisco.....	544
Passed A. B. 832—Court-house in Monterey.....	544
Passed A. B. 523—Southern California Horticultural Society.....	544
Passed A. B. 758—West Side Irrigation District.....	544
Passed A. B. 707—Roads in Monterey.....	544
Passed A. B. 774—Claims against the State.....	544
Passed A. B. 853—Auditor, Solano County.....	544
Passed A. B. 630—Publication of delinquent tax lists.....	544
Passed A. B. 262—Boundaries between Sacramento and San Joaquin.....	545
Passed A. B. 841—Amend Political Code.....	553
Passed A. B. 846—Fisherman's Peak.....	553
Passed A. B. 840—Drainage in Yolo and Colusa.....	553
Passed A. B. 828—Serpentine Avenue, San Francisco.....	554
Passed A. B. 856—Indebtedness of El Dorado.....	554
Concurred in amendments to A. B's 283, 1, and 846.....	571
Adopted conference report on A. B. 764—Appropriation bill.....	571
Passed A. B. 855—Amend Political Code.....	571
Passed A. B. 698—Directors Insane Asylums.....	571
Passed A. B. 806—Cheating at games.....	572
Passed A. B. 298—Counterfeiting.....	572
Adopted A. C. R. 7—Indian Reservations.....	30
Passed A. J. R. 6—Post-office, San Francisco.....	69
Passed A. C. R. 21—Committee rooms.....	75
Passed A. J. R. 13—Postal facilities, Oakland.....	80

ASSEMBLY MESSAGES. Adopted A. C. R. 22—Laboring classes.....	94
Adopted A. C. R. 26—Title to bills.....	91
Committee under A. C. R. 22.....	91
Passed A. J. R. 11—Rifle practice.....	108
Passed A. J. R. 14—Harbor San Luis Obispo.....	115
Passed A. J. R. 17—Homesteads for soldiers and sailors.....	115
Passed A. J. R. 20—Crescent City Harbor.....	115
Passed A. J. R. 12—Wilmington Harbor.....	116
Passed A. J. R. 19—Mokelumne River.....	116
Passed A. J. R. 25—Mail service, San Luis Obispo.....	116
Passed A. J. R. 18—Pensions to soldiers of Mexican war.....	116
Passed A. J. R. 24—Indian affairs.....	116
Passed A. J. R. 5—Chinese immigration.....	116
Adopted A. C. R. 27—Governor's message in Spanish.....	122
Adopted A. C. R. 34—Constitutional Convention.....	127
Passed A. J. R. 35—Subsidies to steamship companies.....	127
Adopted A. C. R.—Thanks to Professor Davidson.....	127
Concurred in amendment to A. C. R. 34.....	143
Passed A. J. R. 10—Relative to fresh waters on public lands.....	153
Passed A. C. R. 39—Relative to Constitutional Convention.....	187
Adopted A. C. R. 42—Relative to death of Hon. C. W. Upton, Assemblyman from Santa Clara.....	193
Relative to lecture by Hon. Wm. Hammond Hall.....	211
Passed A. J. R. 40—Mail route from Reno to Chico.....	219
Conference Committee on A. B. 102.....	219
Adopted A. C. R. 49—Death of Hon. Robert Ludgate, Assemblyman from Amador.....	234
Passed A. J. R. 28—Mail services, Santa Barbara.....	254
Passed A. J. R. 23—Per capita tax on Chinese.....	254
Adopted A. C. R. 52—Relative to correcting error in A. B. 269.....	257
Adopted A. C. R. 53—Adjournment for the twenty-second of February.....	267
Adopted A. C. R. 54—Joint Committee on election laws.....	280
Passed A. J. R. 3—Relative to granting lands to corporations.....	284
Committee appointed under A. C. R. 54.....	284
Adopted A. C. R. 58—Error in A. B. 94.....	306
Passed A. J. R. 44—Recognition of Diaz Government.....	314
Passed A. J. R. 50—Mail route in Butte County.....	314
Passed A. J. R. 43—Duty on Mohair.....	314
Adopted A. C. R. 51—Translating Governor's message into Spanish.....	314
Adopted A. C. R.—Publishing statutes.....	315
Adopted A. C. R. 61—Error in A. B. 516.....	315
Adopted A. J. R. 55—Mail route in Fresno and Kern Counties.....	330
Adopted A. J. R. 46—Import duty on wool.....	331
Adopted A. J. R. 32—Indians in southern part of the State.....	331
Passed A. J. R. 62—Mails in San Luis Obispo.....	378
Passed A. J. R. 57—Relinquishment of Camp Independence.....	368
Passed A. C. R. 64—Relative to A. B. 41.....	378
Concurred in amendments to S. J. R. 55.....	385
Passed A. J. R. 66—Klamath Reservation.....	399
Passed A. J. R. 59—Sugar from beets and melons.....	409
Concurred in amendments to A. J. R. 45.....	410
Passed A. J. R. 65—Breakwater at Santa Barbara.....	420
Passed A. J. R. 41—Railroad lands.....	420
Passed A. J. R. 67—Mail route in Fresno.....	434
Adopted A. C. R. 62—Relative to S. B. 476.....	434
Adopted A. C. R. 70—Relative to A. B. 437.....	489
Passed A. J. R. 73—Indian war bonds.....	544
Passed A. J. R. 56—Railroad land grants.....	544
Passed S. B. 24—Bridge in Alameda County.....	35
Passed S. B. 17—Election about Chinese immigration.....	53
Passed S. B. 2—Fares on street railroads.....	62
Passed S. B. 43—Casitas Pass road, Ventura County.....	65
Passed S. B. 75—Supervisors, San Francisco.....	65
Amended and passed S. B. 59—Street repairs, San Francisco.....	65
Receded from amendments to S. B. 2.....	65
Passed S. B. 3—Name of street, San Francisco.....	71
Passed S. B. 62—Indigent sick, Siskiyou County.....	85
Passed S. B. 16—Amend Civil Code.....	91
Passed S. B. 131—Amend Political Code.....	91
Passed S. B. 169—Special election, Fourteenth Senatorial District.....	104
Passed S. B. 181—Taxes in Calaveras County.....	108
Returned S. B. 19, at request of Senate.....	122
Passed S. B. 199—Adding Section 420 to Penal Code.....	134

ASSEMBLY MESSAGES. Indefinitely postponed S. B. 65—Deficiencies in salaries of District Judges	143
Passed S. B. 69—Claim of C. H. Krebs	143
Passed S. B. 71—Ordinance, Oakland City	143
Passed S. B. 39—Public Works, Los Angeles City	143
Passed S. B. 40—Common Council, Los Angeles	143
Amended and passed S. B. 146—Additional powers to Supervisors of San Francisco	150
Passed S. B. 150—Appropriations of money by Supervisors of San Francisco	150
Passed S. B. 247—Conferring additional powers on Assessor of Stockton	166
Passed S. B. 6—Amending Section 307, Civil Code, relative to corporations	166
Passed S. B. 128—Assistant District Attorney, San Francisco	166
Passed S. B. 103—Additional powers on Board of Supervisors, San Francisco	166
Passed S. B. 220—Hogs at large in Tehama and Red Bluff	167
Passed S. B. 168—Sonoma River navigable	169
Passed S. B. 226—Street Department, San Francisco	181
Passed S. B. 67—Add section to Civil Code, marriage	181
Indefinitely postponed S. B. 80—Relative to Janitor of Supreme Court	181
Refused to concur in Senate amendments to A. B. 102—Relative to claim of Abner D. Sevier	181
Receded from amendments to S. B. 146—Relative to Supervisors of San Francisco	187
Amended and passed S. B. 104—Supervisors of San Francisco	187
Amended and passed S. B. 93—Pay claim of Sheldon and Graves	187
Passed S. B. 106—Repealing Act relative to sheep herding	187
Passed S. B. 68—Orphans and abandoned children	187
Passed S. B. 261—Expenses of Presidential Electors	187
Passed S. B. 145—Pay claims of Sacramento County	187
Passed S. B. 130—Raceway through Placerville	187
Amended and passed S. B. 192—Hogs at large	187
Passed S. B. 139—Agricultural Societies	187
Passed S. B. 159—Incorporation Town of Woodland	188
Amended and passed S. B. 61—To incorporate Town of Alameda	206
Passed substitute for S. B's 90, 173, and 175—City Hall of the City and County of San Francisco	208
Passed S. B. 237—Trespassing animals, Los Angeles	208
Passed S. B. 370—Supervisors of San Joaquin to pay claim of S. G. S Dunbar	253
Amended and passed S. B. 116—Board of Supervisors, San Francisco, contracts	253
Passed S. B. 267—Limit payment of money out of treasury, San Francisco	253
Passed S. B. 91—Solano County to erect fireproof buildings	253
Refused to recede from Assembly amendments to S. B. 104	254
Passed S. B. 332—Assessment Book, Los Angeles	261
Indefinitely postponed S. B. 172—Relief of Richard H. Stretch	261
Passed S. B. 229—Grade of Seventh Street, San Francisco	261
Passed S. B. 287—Relief of Dakes, Billingsley, Mallock, Kincaid, Taylor, Abbey, and Merrill	261
Passed S. B. 161—Supervisors of Placer County	261
Passed S. B. 409—Supervisors of Alameda County	280
Passed S. B. 238—Amend incorporation of Nevada City	284
Passed S. B. 89—County Recorder and Clerk of Merced County	284
Passed S. B. 390—Town of Red Bluff, Tehama County	284
Passed S. B. 254—Confirming ordinance of City of Stockton	284
Passed S. B. 215—Railroad in San Luis Obispo	284
Passed S. B. 265—Assessor of San Francisco and deputies	284
Passed S. B. 182—Salary of Superintendent of Schools, Calaveras	284
Amended and passed S. B. 288—Public roads, Nevada County	284
Amended and passed S. B. 92—Relief of Cook Talcott and A. Onderdonk	284
Amended and passed S. B. 252—Seventh Street Commission expenses, San Francisco	284
Amended and passed S. B. 189—English Street, Petaluma	284
Indefinitely postponed S. B. 113—San Francisco	284
Passed S. B. 416—Relief of sufferers by late storms	293
Returned S. B. 20—Amending Section 3443, Political Code	293
Passed S. B. 87—Amending Section 969, Code of Civil Procedure	293
Passed S. B. 112—Amending Section 1166, Code of Civil Procedure	293
Passed S. B. 118—Amending Section 895, Code of Civil Procedure	293
Passed S. B. 193—Amending Section 2180, Civil Code	293
Passed S. B. 401—Tax levy in Santa Cruz County	293
Indefinitely postponed S. B. 160—Amending Section 1386, Penal Code	293
Passed S. B. 216—Amending Section 376, Penal Code	293
Passed S. B. 174—Validate contract of City of San Francisco	306
Amended and passed S. B. 237—Fire and Police Commissions for City of Oakland	306
Passed S. B. 404—Officers in San Luis Obispo County	306

ASSEMBLY MESSAGES. Passed S. S. B. 136—Indebtedness of Tulare County.....	306
Passed S. B. 186—Sheriff of San Francisco.....	314
Passed S. B. 330—Amending incorporation of Grass Valley.....	314
Passed S. B. 304—Tax and assessments in the County of Nevada.....	315
Passed S. B. 315—Town of Etna, Siskiyou County.....	315
Passed S. B. 185—Relief of George C. Knox.....	315
Passed S. B. 367—Acts of the Mayor and Common Council of the City of San José.....	315
Passed S. B. 275—Stockton Gas Company and the City of Stockton.....	315
Amended and passed S. B. 145—County Auditor in the County of Solano.....	315
Passed S. B. 210—Amend Section 1590, Penal Code.....	338
Passed S. B. 57—To reimburse the County of Placer.....	338
Passed S. B. 449—Incorporate the Town of Martinez.....	338
Passed S. B. 382—Board of Education of the City of Petaluma.....	338
Passed S. B. 33—County Recorder of the County of Placer.....	338
Passed S. B. 209—Roads and highways in the County of Mariposa.....	338
Passed S. B. 343—An Act to fund certain indebtedness of Solano County.....	338
Passed S. B. 380—Santa Clara Avenue, City of San José.....	338
Passed S. B. 379—To re-incorporate the City of San José.....	338
Passed S. B. 378—County officers of Santa Clara County.....	338
Passed S. B. 393—County of Santa Clara to issue bonds in payment of certain indebtedness.....	338
Passed S. B. 162—Licenses in the County of San Benito.....	338
Passed S. B. 82—Water front of San Francisco.....	338
Passed S. B. 339—Board of Auditors for El Dorado County.....	338
Passed S. B. 341—Trustees of San Buenaventura School District, Ventura County.....	338
Passed S. B. 342—New York School District, in Contra Costa County.....	338
Passed S. B. 233—Twenty-first Judicial District.....	338
Passed S. B. 11—Government of the County of Sacramento.....	338
Passed S. B. 255—City of Stockton.....	338
Amended and passed S. B. 428—Hospital of the County of Placer.....	338
Passed S. B. 115—Opening of Army Street.....	338
Passed S. B. 86—Clear Lake navigable.....	338
Passed S. B. 354—Sheriff of Butte County the Collector of Licenses.....	338
Passed S. B. 490—Stockton Gas Company.....	347
Passed S. B. 392—Streams in the County of Santa Clara.....	348
Passed S. B. 202—Relief of Edward C. Kirby and John Burke.....	348
Passed S. B. 463—Deficiencies in the expenses of the State Prison.....	348
Amended and passed S. B. 217—Amend the Political Code, respecting the health and quarantine regulations of the City and County of San Francisco.....	348
Passed S. B. 163—Concerning roads and highways in the County of San Benito.....	348
Passed S. B. 58—Fees of Justices of the Peace for the Counties of Contra Costa, Lassen, and Butte.....	348
Passed S. B. 353—Encouragement of agriculture.....	348
Receded from Assembly amendments to S. B. 217.....	356
Passed S. B. 403—Board of Directors of the California Institution for the Deaf, the Dumb, and the Blind.....	366
Passed S. B. 474—City Marshal, and a Treasurer, for the City of Benicia.....	366
Amended and passed S. B. 423—Coroner of Santa Clara County.....	367
Passed S. B. 35—Rights of parties to overthrown lands in Fresno and Kern Counties.....	378
Passed S. B. 144—Relief of Wells, Fargo & Company.....	384
Passed S. B. 1—An Act to establish and maintain free public libraries and reading rooms.....	384
Passed S. B. 346—Additional powers upon the Board of Supervisors of the City and County of San Francisco.....	384
Passed S. B. 411—Trustees of the I. O. O. F. of the City of San Francisco to lease the lot of land in the City of San Francisco.....	384
Passed S. B. 398—School house in Anaheim School District.....	384
Passed S. B. 286—North Beach and Mission Railroad Company.....	384
Passed S. B. 479—Roads in the County of Nevada.....	384
Passed S. B. 310—Support of the Hospital and Almshouse of the City and County of San Francisco.....	384
Passed S. B. 281—Adulteration of candies.....	384
Passed S. B. 356—Relative to the registration of births, marriages, and deaths.....	384
Passed S. B. 60—State Aid Bonds.....	385
Passed S. B. 285—County Boards of Examination.....	385
Passed S. B. 374—Claim of Hiram Clock.....	385
Passed S. B. 207—Relief of John A. Odell.....	385
Passed S. B. 476—Streets of the City of Sacramento.....	385
Passed S. B. 386—Further powers on the Common Council of the City of Santa Barbara.....	385
Passed S. B. 422—City of San Jose to establish and provide for the maintenance of a Board of Health.....	386

ASSEMBLY MESSAGES. Amended and passed S. B. 141.....	385
Passed S. B. 138—Local Boards of Health.....	385
Passed S. B. 239—University of California.....	385
Passed S. B. 44—Bonds of the county officers of Ventura County.....	385
Passed S. B. 273—Legalize the assessment of taxes in the City and County of San Francisco.....	385
Passed S. B. 212—Concerning the construction of the sea-wall of San Francisco.....	385
Passed S. B. 26—Amend Section 299 of the Civil Code.....	385
Passed S. B. 299—Amend Section 791, Political Code.....	410
Amended and passed S. B. 530—Highways in Solano County.....	420
Amended and passed S. B. 364—Assessor of Oakland Township, Alameda County.....	420
Passed S. B. 31—Amend Political Code.....	420
Passed S. B. 523—Treasury of San Francisco.....	420
Passed S. B. 438—Hastings' College of Law.....	420
Passed S. B. 264—Snelling School District.....	420
Passed S. B. 291—Town of Watsonville.....	420
Passed S. B. 361—Los Angeles Street.....	420
Passed S. B. 444—Town lots in Visalia.....	420
Passed S. B. 271—Board of Supervisors, City and County of San Francisco.....	421
Passed S. B. 81—Relief of Henry F. Williams.....	421
Passed S. B. 389—Animals upon private property in County of Yolo.....	421
Passed S. B. 269—Confirm order of Board of Supervisors of the City and County of San Francisco.....	421
Passed S. B. 176—Practice of medicine.....	434
Passed S. B. 263—Reporter for Supreme Court.....	434
Amended and passed S. B. 108—Amend Civil Code.....	434
Passed S. B. 114—Amend Political Code.....	434
Passed S. B. 317—Property on water front, in the City and County of San Francisco.....	435
Indefinitely postponed S. B. 244—Costs of certain criminal cases.....	435
Passed S. B. 224—Removing taxation from the manufactured products of wheat.....	435
Passed S. B. 455—Twenty-third Judicial District.....	435
Indefinitely postponed S. B. 73—Public schools.....	435
Passed S. B. 345—Agriculture in the County of El Dorado.....	435
Passed S. B. 564—Scott's Valley School District.....	435
Passed S. B. 452—Board of Supervisors of the County of Tehama.....	435
Passed S. B. 516—County officers in Yolo County.....	435
Passed S. B. 365—Bonds of the County of Alameda.....	435
Amended and passed S. B. 488—Roads and highways in Contra Costa County.....	435
Passed S. B. 517—Streets in the City of San José.....	435
Passed S. B. 536—Funded debt of Siskiyou County.....	435
Passed S. B. 573—Highways in Los Angeles County.....	435
Passed S. B. 575—Constables in the County of Calaveras.....	435
Passed S. B. 352—Town lots in Tehama.....	454
Passed S. B. 70—Lick estate.....	454
Passed S. B. 509—Sewer in Oakland.....	454
Passed S. B. 376—Relief of J. F. Dillon.....	454
Passed S. B. 219—Great Register in Yolo.....	454
Passed S. B. 14—Fees of officers, Nevada County.....	454
Passed S. B. 508—Oakland Water-works.....	454
Passed S. B. 480—Sheriffs of Kern and Tulare.....	454
Passed S. B. 454—Board of Health, Tulare.....	454
Passed S. B. 457—Pueblo of Sonoma.....	454
Passed S. B. 567—City of Marysville.....	454
Passed S. B. 535—Deficiencies General Fund, San Francisco.....	454
Passed S. B. 590—Bridge tax, Amador.....	454
Passed S. B. 581—Charter of City of Los Angeles.....	454
Passed S. B. 97—Court of Appeals, San Francisco.....	454
Amended and passed S. B. 478—School in Town of Alameda.....	454
Amended and passed S. B. 369—Roads on Sherman Island.....	454
Amended and passed S. B. 405—Town of Alameda.....	454
Amended and passed S. B. 507—City of Vallejo.....	454
Amended and passed S. B. 559—Indigent sick, Tuolumne.....	454
Amended and passed S. B. 543—Reporter for Second Judicial District.....	454
Amended and passed S. B. 384—Relief of Hendricks and others.....	454
Amended and passed S. B. 366—Mission Street M. E. Church.....	454
Amended and passed S. B. 200—Police force, San Francisco.....	454
Amended and passed S. B. 203—Tehama Street, San Francisco.....	454
Indefinitely postponed S. B. 351—Oakland.....	454
Passed S. B. 180—Relief of Hoagland and others.....	455
Receded from amendments to S. B. 86.....	474
Amended and passed S. B. 333—Montgomery Street South, San Francisco.....	479

ASSEMBLY MESSAGES. Passed S. B. 464—Bay Street, San Francisco.....	480
Passed S. B. 569—Receiving Hospital, Oakland.....	480
Passed S. B. 600—City of San José.....	480
Passed S. B. 307—Scale for measurement of logs.....	480
Passed S. B. 8—Relief of Otto Kloppenberg.....	480
Amended and passed S. B. 510—Streets in Oakland.....	480
Passed S. B. 412—Tyler Street, San Francisco.....	480
Passed S. B. 256—Supervisors, San Francisco.....	480
Passed S. B. 313—Streets in Town of Alameda.....	480
Passed S. B. 262—Claim in San Francisco.....	480
Passed S. B. 280—Appropriation, San Francisco.....	480
Passed S. B. 48—Double taxation, San Francisco.....	480
Passed S. B. 456—Sewerage, San José.....	480
Passed S. B. 547—Trustees, City of Sacramento.....	480
Indefinitely postponed S. B. 268—Criminal Court, San Francisco.....	480
Passed S. B. 622—New township, Calaveras County.....	488
Refused to recede from amendments to S. B. 200.....	489
Passed S. S. B's 153, 156, and 295—Insurance.....	500
Passed S. B. 154—Civil Code, insurance.....	500
Passed S. B. 155—Civil Code, insurance.....	500
Amended and passed S. B. 506—Fish in San Leandro Creek.....	500
Passed S. B. 505—Deer in Monte Diablo.....	500
Passed S. B. 383—Fish in King's River.....	500
Passed S. B. 532—Fish Commissioners.....	501
Amended and passed S. B. 503—Fish and game.....	507
Passed S. B. 489—Pilots and pilot regulations.....	507
Passed S. B. 577—Penal Code.....	507
Passed S. B. 566—Amend Political Code.....	515
Passed S. B. 420—Supervisors, San Francisco.....	515
Passed S. B. 550—Deputy Assessors of Santa Cruz.....	515
Amended and passed S. B. 211—Oakland Guard.....	515
Indefinitely postponed S. B. 387—County officers, Santa Cruz.....	515
Amended and passed S. B. 462—Rapid drainage.....	516
Amended and passed S. S. B's 117, 190, and 500.....	516
Amended and passed S. B. 210—Street contracts, San Francisco.....	521
Passed S. B. 630—Roads in Amador.....	521
Passed S. B. 618—Incorporate San Luis Obispo.....	521
Passed S. B. 231—Common Council, Santa Barbara.....	521
Passed S. B. 624—Roads in San Luis Obispo.....	521
Passed S. B. 625—Highways in San Luis Obispo.....	521
Passed S. B. 425—Special Fee Fund, San Francisco.....	521
Amended and passed S. B. 579—Road in Lassen.....	521
Passed S. B. 561—Extending an Act, etc.....	521
Passed S. B. 519—Treasurer of El Dorado County.....	521
Passed S. B. 511—Great Register, El Dorado.....	521
Passed S. B. 633—Judicial Districts, San Francisco.....	521
Passed S. B. 598—Unused streets, San Francisco.....	521
Passed S. B. 556—Squirrels in Contra Costa.....	521
Amended and passed S. B. 650—Bridge across Salinas River.....	521
Amended and passed S. B. 430—Labor statistics.....	521
Amended and passed S. B. 580—Incorporate Town of Dixon.....	521
Passed S. B. 640—Contingent Fund.....	530
Passed S. B. 619—National Guard.....	530
Amended and passed S. B. 549—Levee District No. 1101.....	530
Passed S. B. 638—Snelling School District.....	531
Passed S. B. 634—Re-incorporate San José.....	531
Passed S. B. 225—Poll tax in Merced.....	531
Passed S. B. 656—Courts in Merced.....	531
Indefinitely postponed S. B. 297—Water-works, San Francisco.....	531
Passed S. B. 636—King's River.....	531
Amended and passed S. B. 544—Railroad in Amador.....	531
Passed S. B. 586—Claims of J. S. Griffin, Los Angeles.....	531
Passed S. B. 623—Trustees, City of Sacramento.....	531
Passed S. B. 222—Relating to children.....	531
Passed S. B. 221—Wrongs to children.....	531
Passed S. B. 672—Board of Regents, University of California.....	531
Passed S. B. 669—Sewarge, San Francisco.....	531
Passed S. B. 678—Bridge in Mendocino.....	531
Passed S. B. 679—Streets in Alameda.....	531
Passed S. B. 642—Amend Political Code.....	542
Passed S. S. B's 109 and 293—Mortgage growing crops.....	542
Passed S. B. 183—Pay John Sutherland, Jr.....	542

ASSEMBLY MESSAGES. Passed S. B. 303—Amend Civil Code	542
Passed S. B. 613—Purchasers State lands	542
Passed S. B. 560—Supervisors, San Francisco	542
Passed S. B. 653—Veterans Mexican war	543
Passed S. B. 214—House of Correction, San Francisco	543
Passed S. B. 682—Amend Political Code	543
Amended and passed S. B. 628—Public printing	543
Passed S. B. 621—Amend Political Code	543
Indefinitely postponed S. B. 140—Inspector of steam engines	543
Passed S. B. 626—Street Department, San Francisco	543
Passed S. B. 627—Supervisors of San Francisco	543
Passed S. B. 66—Attorneys at law	543
Amended and passed S. B. 357—Deputy Clerk, San Francisco	543
Passed S. B. 616—Irrigation in Sierra County	543
Passed S. B. 525—Supervisors, San Francisco, sell real estate	543
Passed S. B. 377—Drainage, etc., in Yolo County	543
Passed S. B. 647—Supervisors, Santa Cruz County	543
Passed S. B. 493—Amend Political Code	543
Passed S. B. 201—Jailers, etc., Alameda County	543
Passed S. B. 631—Van Ness Avenue, San Francisco	543
Passed S. B. 560—Accepted streets, San Francisco	543
Passed S. B. 609—District City of Oakland	543
Passed S. B. 628—Supervisors of Yolo County	543
Passed S. B. 661—Supervisors of Sacramento County	543
Passed S. B. 667—Supervisors of Santa Clara County	543
Passed S. B. 611—Railroad track, San Francisco	543
Passed S. B. 368—Title to land in Yolo County	543
Passed S. B. 424—Pharmacy in San Francisco	543
Passed S. B. 664—Tyler Street, San Francisco	543
Passed S. B. 658—Roadway in Town of Alameda	544
Passed S. B. 570—Incorporation of railroads, etc.	544
Amended and passed S. B. 494—Amend Political Code	544
Passed S. B. 234—Advances on goods	544
Passed S. B. 418—Amend Penal Code	544
Passed S. B. 571—Repeal sections of Civil Code	544
Passed S. B. 450—Complete railroads	544
Passed S. B. 574—Amend Civil Code	545
Amended and passed S. B. 135—Two sections to Civil Code	545
Passed S. B. 292—Amend Code of Civil Procedure	545
Passed S. B. 527—Corporations, Civil Code	545
Amended and passed S. B. 260—Amend Code of Civil Procedure	545
Passed S. B. 434—Bacon College, etc.	545
Passed S. B. 274—Amend Civil Code	545
Passed S. B. 533—Relief of Splivalo and others	545
Passed S. B. 662—Managers of Orphan Asylums	545
Passed S. B. 646—Funds of State University	545
Indefinitely postponed S. B. 574—Amend Civil Code	545
Passed S. B. 606—Canal in Contra Costa County	553
Passed S. B. 670—Supervisors of Amador County	553
Passed S. B. 638—Napa Asylum	553
Indefinitely postponed S. B. 244—Costs in criminal actions	553
Passed S. B. 426—Purchasers of State lands	553
Passed S. B. 414—Amend Penal Code	553
Amended and passed S. B. 476—Improvement of City of Sacramento	553
Passed S. B. 270—Harbor Commissioners	554
Passed S. B. 629—Amend Code of Civil Procedure	554
Passed S. B. 164—Wharfing receipts, etc.	554
Passed S. B. 435—Chatel mortgages	554
Passed S. B. 594—Supervisors of San Francisco	554
Amended and passed S. B. 205—Relief to taxpayers	554
Passed S. B. 496—Yosemite Valley	554
Passed S. B. 460—Yosemite Valley and Big Trees	554
Passed S. B. 485—Claim of J. C. Smith	554
Passed S. B. 696—Capitol grounds	554
Passed S. B. 688—Leave of absence to E. S. Carr	571
Indefinitely postponed S. B. 604—Relief of Peter Connolly	571
Passed S. B. 641—Assessment in San Francisco	571
Passed S. B. 282—Perpetuate testimony	571
Amended and passed S. B. 685—Contingent Fund	572
Amended and passed S. B. 495—Relief of sufferers by flood	572
Passed S. B. 442—Amend Code of Civil Procedure	572
Passed S. B. 441—Amend Civil Code	572

ASSEMBLY MESSAGES. Passed S. B. 257—Tax on certificates of stock	572
Passed S. B. 148—Amend Political Code	572
Passed S. B. 277—Amend Political Code	572
Indefinitely postponed S. B. 540—Alamo Square, San Francisco	572
Passed S. B. 665—Amend Code of Civil Procedure	575
Passed S. B. 686—Police force, San Francisco	575
Adopted S. C. R. 4—Chinese immigration	35
Adopted S. C. R. 10—Standing rules	49
Adopted S. C. R. 11—Joint Committee on Chinese	49
Adopted S. C. R. 14—Adjournment for holidays	53
Adopted substitute for S. C. R. 14—Printing Governor's message	62
Adopted S. C. R. 8—Certain County Clerks	65
Passed S. J. R. 15—San Joaquin River	69
Passed S. J. R. 7—Improvement of Sacramento River	69
Receded from amendment to S. C. R. 2	69
Amended and passed S. J. R. 5—Chinese immigration	72
Concurred in S. C. R. 22—Yosemite Valley	85
Refused to concur in S. C. R. 25—Death of Victor Emanuel	108
Passed S. J. R. 16—Feather River	122
Concurred in S. C. R. 28—Trustees State Library	127
Passed S. J. R. 37—Revenue laws	143
Concurred in S. C. R. 30—Joint Committee	143
Adopted S. R.—Relative to funeral of Senator Angney	163
Passed S. J. R. 23—Relative to public lands in California	169
Concurred in S. C. R. 32—Adding Senator Bones to Committee on the Labor Question	188
Passed S. J. R. 20—Point San José Reservation	254
Passed S. J. R. 18—Desert lands	254
Passed S. J. R. 19—Presidio Reservation	254
Passed S. J. R. 9—Stone dry dock, Mare Island	254
Concurred in S. C. R. 36—Printing statutes	261
Concurred in S. C. R. 4—Error in S. B. 151	280
Passed S. J. R. 26—Duties on grain bags, etc.	306
Passed S. J. R. 45—Soldiers in California before the discovery of gold	314
Passed S. J. R. 35—Arming and equipping militia	330
Refused to concur in S. C. R. 39	347
Passed S. J. R. 34—Viniculture	348
Passed S. J. R. 37—Cemetery in San Francisco	385
Passed S. J. R. 48—Mail service in Modoc	454
Passed S. J. R. 47—Mail service in Tulare	454
Passed S. J. R. 46—Mail service in Fresno and Tulare	454
Passed S. J. R. 42—United States Surveyor-General	480
Adopted S. C. R. 52	507
Passed S. J. R. 59—Colonel Joseph B. Collins	543
Concurred in S. C. R. 60—Standing rules	544
Passed S. J. R. 13—Presidential Electors	554
Passed S. J. R. 50—Deposits in savings banks	554
AUSTIN, JOSEPH. Appointed Port Warden of San Francisco	116
Confirmed	117
AYES AND NOES. On election of officers	2-5
On providing members with stamps and periodicals	7
On amending Rule 18	9
On increasing Committee on Public Buildings	9
On increasing Committee on Claims	9
On amending Haymond's resolution	12
On referring Lewis' bill to Committee on Education	16
On supplying reporters with stationery and Codes	17
On resolution in relation to Chinese immigration	33
On appointment of J. A. Stanley as Trustee of Deaf, Dumb, and Blind Asylum	59
On appointment of Eugene Casserly as Regent of State University	59
On appointment of Geo. Davidson as Regent of State University	59
On appointment of M. S. Horn as Brigadier-General of Fourth Brigade	59
On appointment of Chas. Calwalader Brigadier-General of Fifth Brigade	60
On placing Chinese immigration resolution on its passage	63
On indefinitely postponing S. B. 9	64
On passage of A. B. 50	67
On better government of schools in San Francisco	77
On question of adjournment	81
On repealing Section 60 of Civil Code	89
On amending Section 275 and Section 279 of Code of Civil Procedure	88
On S. B. 12, to amend Section 4109, Political Code	95
On adoption of resolution concerning irrigation	96

AYES AND NOES. On taking up S. B. 150.....	99
On re-referring S. B. 126 to San Francisco delegation.....	106
On indefinite postponement of S. B. 126.....	106
On trans-continental railroad.....	109
On Jos. Austin as Port Warden.....	117
On Jos. Gallup as Pilot Commissioner.....	117
On E. J. Crane as Trustee of Blind Asylum.....	117
On Thos. Yolland as Trustee for Blind Asylum.....	117
On J. L. Beard as Regent of University.....	117
On S. A. Holmes as Director of Stockton Asylum.....	118
On F. Stuart as Director of Stockton Asylum.....	118
On S. J. R. 18.....	118
On women practicing law.....	124
On school book bill.....	125
On school book bill.....	139
On ladies' dressing-room.....	147
On S. B. 175, relating to San Francisco.....	152
On school book bill.....	157
On S. B. 51 (school books).....	160
On amending S. B. 12.....	171
On amending S. B. 12.....	172
On indefinite postponement of S. B. 12.....	172
On appeal from decision of Chair.....	172
On adoption of S. S. B. 51.....	173
On amendment to S. B. 51.....	173
On suspension of rules.....	173
On engrossment of S. B. 51.....	173
On police force of San Francisco.....	175
On amendment to San Francisco police bill.....	176
On passage of A. B. 136.....	178
On referring education resolution to Committee on Education.....	182
On amending S. B. 180.....	184
On suspension of rules.....	184
On S. B. 73, amending Code.....	191
On S. B. 35, on letters patent to W. F. Montgomery.....	194
On currency resolution.....	197
On reference of currency resolution.....	198
On passage of A. J. R. 5, relative to Chinese immigration.....	200
On passage of A. B. 133.....	204
On passage of A. B. 150.....	204
On passage of S. B. 170.....	205
On S. S. B. 51.....	205
On making S. S. B. 51 special order.....	206
On S. J. R. 12—Texas Pacific Railroad.....	210
On S. B. 82—San Francisco water front.....	213
On engrossment of S. B. 64.....	214
On passage of S. B. 263.....	214
On passage of S. B. 180, for relief of John Hoagland et al.....	215
On indefinite postponement of S. B. 73.....	216
On passage of S. B. 73.....	216
On referring S. B. 279.....	217
On reconsideration of engrossment of S. B. 180.....	221
On reconsideration of S. B. 73.....	221
On adjournment.....	224
On amending S. B. 51.....	230
On reference of S. B. 51.....	231
On adjournment.....	231
On passage of school book bill (S. B. 51).....	234
On reconsideration of passage of S. B. 51.....	237
On indefinite postponement of S. B. 51.....	238
On passage of S. B. 1.....	245
On consideration of S. B. 309.....	245
On passage of A. B. 128, gas bill.....	250
On recommitting A. B. 124.....	251
On motion to adjourn.....	251
On instructions to amend A. B. 128.....	257
On amending S. B. 310.....	258
On taking up S. B. 204.....	262
On passage of S. B. 204.....	262
On indefinite postponement of S. B. 309.....	263
On referring S. B. 309.....	263
On passage of S. B. 309.....	264

AYES AND NOES. On reference of S. S. J. R. 621, relative to currency	265
On passage of S. S. B. 180—Relief of John Hoagland	265
On reconsideration of vote on S. B. 309	267
On adopting A. C. R. 53, relative to adjournment	267
On motion to amend S. S. B. 353	271
On engrossment of S. B. 210	272
On suspension of rules for S. B. 97	286
On passage of S. B. 329—Training ship	295
On indefinite postponement of S. B. 309	295
On amendment to S. B. 309	295
On motion to adjourn	295
On motion to adjourn	296
On motion for call of the Senate	296
On motion to adjourn	296
On motion for call of the Senate	296
On appeal from decision of the Chair	297
On motion to adjourn	297
On ordering the previous question	297
On question to refer S. B. 309	297
On appeal from decision of the Chair	298
On motion to adjourn	298
On passage of S. B. 309	298
On appeal from decision of the Chair	300
On postponement of consideration of Constitutional Convention bill	308
On amendments to A. B. 436	309
On amendments to A. B. 436	310
On passage of A. B. 436	310
On adjournment	316
On passage of S. B. 81—Relief of H. S. Williams	322
On indefinite postponement of S. B. 400	324
On receding from amendments to A. B. 102	325
On amending Constitutional Convention bill, A. B. 436	325
On indefinite postponement of A. B. 436	326
On passage of S. S. A. B. 153	328
On passage of A. B. 180—Terms of office of Supreme Court	331
On tabling S. R. 43, relative to freight and fares	332
On reconsideration of A. B. 102	333
On receding from amendments to A. B. 102	333
On adjournment	333
On referring S. B. 210—Street contracts in San Francisco	334
On amending S. B. 210	334
On passage of S. B. 210	334
On passage of S. B. 305, relative to appropriations by San Francisco	335
On engrossment of S. B. 46, relative to rules	340
On confirmation of William Blanding as Harbor Commissioner	341
On amendment to S. S. B. 13, relative to irrigation	341
On making special order of S. B. 430	345
On concurring in amendment to S. B. 217	348
On passage of S. S. B. 416 and 417 over Governor's veto	349
On putting S. B. 49 on its passage	351
On ordering S. B. 49 to Assembly without engrossment	351
On amending S. B. 430—Bureau of Labor Statistics	353
On suspension of rules for S. B. 430	358
On engrossment of S. B. 430	358
On amending S. S. B. 297—Public water-works for San Francisco	363
On suspension of rules on S. S. B. 297	363
On indefinite postponement of S. S. B. 46—Concerning milk	371
On passage of S. S. B. 46	371
On tabling S. B. 13	373
On passage of S. B. 357—Clerk for Courts in San Francisco	376
On third reading of S. B. 140—Relative to boilers in San Francisco	387
On passage of S. B. 140	387
On passage of S. B. 455—Creating Twenty-third Judicial District	388
On indefinite postponement of S. B. 23, relative to Board of Public Works in San Francisco	389
On motion to reconsider bill for Bureau of Labor Statistics	394
On motion to engross bill for Bureau of Labor Statistics	394
On tabling S. C. R. 33, relative to funded indebtedness of State	401
On passage of S. C. R. 33	401
On passage of S. B. 570, relating to railroad corporations	404
On amendments to A. B. 119—Water rates in San Francisco	414
On tabling A. B. 433—Bank Commissioners	428

AYES AND NOES. On passage of A. B. 433.....	428
On passage of S. B. 540—Reference to Alamo Square.....	440
On passage of S. B. 252 over Governor's veto.....	443
On motion to reconsider vote postponing S. B. 23.....	443
On amendment to S. B. 110—Adjudication of claims against the State.....	444
On engrossment of S. B. 110.....	444
On indefinitely postponing S. B. 472.....	446
On passage of S. B. 430.....	459
On adjournment.....	459
On amending S. S. B's 117, 190, 500.....	460
On passage of S. S. B's 117, 190, 500.....	460
On indefinite postponement of S. B. 568 (sale of cigars).....	466
On suspension of rules for passage of S. B. 568.....	467
On passage of S. B. 526, to amend the Code of Civil Procedure.....	468
On adjournment.....	475
On motion to suspend rules on S. B. 415.....	482
On engrossment of S. B. 415.....	482
On passage of A. B. 417.....	484
On suspension of rules for passage of S. B. 574.....	490
On suspending a rule on A. B. 541—To create the office of Commissioner of Transportation.....	492
On amending A. B. 541.....	493
On amending A. B. 541.....	494
On indefinite postponement of A. B. 541.....	494
On amending A. B. 541.....	495
On passage of A. B. 541.....	495
On amending title of A. B. 541.....	495
On suspending rules for S. B. 292.....	502
On passage of S. B. 292.....	503
On suspension of rules for passage of S. B. 521.....	504
On amending A. B. 649.....	505
On passage of A. B. 649.....	505
On indefinite postponement of S. B. 592.....	506
On engrossment of S. B. 592.....	506
On indefinite postponement of A. B. 389—To incorporate the Town of Berkeley.....	508
On passage of A. B. 389.....	508
On postponement of motion to reconsider A. B. 649.....	509
On taking from table S. B's 358 and 360, relating to railroads.....	510
On tabling S. B's 358 and 360.....	510
On indefinite postponement S. B's 358 and 360.....	510
On passage of A. B. 321.....	513
On passage of S. B. 671.....	513
On passage of S. B. 218 over Governor's veto.....	515
On passage of S. B. 264 over Governor's veto.....	515
On motion to take a recess.....	517
On motion to adjourn.....	517
On tabling S. B. 671.....	520
On reconsidering A. B. 389.....	521
On confirmation of E. J. Lewis as Major-General, N. G. C.	524
On amending A. B. 764—Appropriation bill.....	524
On amending A. B. 764.....	525
On passage of A. B. 764.....	525
On motion to adjourn.....	526
On suspending rules for S. B. 214.....	527
On motion to take sundry bills out of unfinished business.....	527
On motion to make A. B. 22 a special order.....	529
On referring S. B. 104 to Committee of Conference.....	530
On reconsidering S. B. 764.....	530
On motion to amend S. B. 764.....	530
On motion to adjourn.....	535
On suspension of rules to pass S. B. 676.....	536
On tabling A. B. 558.....	538
On motion to adjourn.....	538
On motion to adopt resolution relative to A. B. 153.....	539
On tabling A. B. 22.....	539
On indefinite postponement of A. B. 22.....	539
On passage of A. B. 22.....	540
On passage of S. B. 305 over Governor's veto.....	540
On adhering to amendments to A. B. 764.....	546
On motion to adjourn.....	547
On suspension of rules for A. B. 580.....	548

AYES AND NOES. On passage of A. B. 580.....	548
On motion to adjourn.....	549
On motion to take a recess.....	552
On passage of S. A. B. 581.....	555
On confirmation of Henry George, as Inspector of Gas Metres.....	556
On confirmation of J. Mora Moss, as Trustee of Asylum for Deaf, Dumb, and Blind.....	556
On confirmation of B. F. Tuttle, as Insurance Commissioner.....	556
On confirmation of A. S. Hallide, Horatio Stebbins, and John S. Hagar, as Regents of the University.....	557
On suspension of rules to pass A. B. 394.....	559
On motion to reconsider vote confirming B. F. Tuttle, as Insurance Commissioner.....	560
On confirmation of John C. Maynard, as Insurance Commissioner.....	560
On resolution concerning transaction of Senate business.....	560
On suspension of rules to pass A. B. 846.....	562
On suspension of rules to pass A. B. 758.....	573
On suspension of rules to pass A. B. 82.....	573
On passage of A. B. 82.....	573

B

BAYS, JOHN. An Act for the relief of.....	507
BEARD, JOHN L. Appointed Regent of the University.....	116
Confirmed.....	117
BEAZELL, JAMES. Appeared.....	1
Appointed on committees.....	34, 82, 193
Bills introduced.....	62, 123, 128, 146, 233, 267, 268, 356, 393, 437, 520, 557
Granted leave of absence.....	138, 243, 274, 363
Petitions.....	126, 289
Reports.....	68,
127, 149, 171, 201, 226, 266, 282, 292, 312, 328, 336, 337, 362, 382, 408, 478	
Resolutions.....	7, 19, 70, 87, 93, 109, 177, 195, 203, 386, 447, 540
BLANDING, W. M. Appointed Harbor Commissioner.....	320
Confirmed.....	341
BONES, JOHN W. Appeared and qualified.....	164
Appointed on committees.....	188, 195
Bills introduced.....	202, 224, 228, 268, 331, 393, 400, 442, 501, 520
Granted leave of absence.....	237, 413
Reports.....	201, 226, 282, 292, 312, 356, 337, 362, 382, 402, 408
Resolutions.....	256
Resolution of indorsement.....	447
BORING, SAMUEL W. Appeared and qualified.....	259
Appointed on committees.....	301
Bill introduced.....	393
BOYSTON, JOHN S. Appeared and qualified.....	1
Appointed on committees.....	34
Bills introduced.....	123, 150, 170, 212, 255
Reports.....	76, 166, 175, 221, 227, 240, 299, 303, 371, 441, 462, 486
BROWN, F. M. Appeared and qualified.....	2
Appointed on committees.....	34, 239
Bills introduced.....	56, 150, 195, 234, 388, 411, 423, 457, 513
Granted leave of absence.....	18, 71, 74, 78
Petitions.....	120, 148
Reports.....	208, 217, 491
Resolutions.....	242
BROWN, W. H. Appeared and qualified.....	1
Appointed on committees.....	34, 41, 239
Bills introduced.....	77, 80, 110, 142, 190, 213, 220, 268, 285, 356, 369, 436
Granted leave of absence.....	134, 208
Reports.....	53, 115, 149, 227, 233, 300, 346, 375, 382, 406, 432, 478, 511, 512
Resolutions.....	170, 506
BROWN, W. W. An Act for the relief of.....	332
BURKE, JOHN. An Act for the relief of.....	123
BUTTE COUNTY. Report of delegation.....	67, 127, 244, 328, 346, 376, 416, 463, 229

C

CADWALADER, CHAS. Appointed Brigadier-General, Fifth Brigade, N. G. C.....	43
Confirmed.....	60
CALAVERAS COUNTY. Bills concerning.....	101, 210, 492, 456

CALLS OF THE SENATE.....	160, 207, 222,	250
CANAVAN, P. H. An Act for the relief of.....		99
CARR, E. S. An Act granting leave of absence.....		557
CARROLL, CHAS. An Act for the relief of.....		244
CARROLL, JOHN H. An Act to provide for payment of claim of.....		111
CASSERLY, EUGENE. Appointed Regent of the University of California.....		43
Confirmed.....		59
COLEMAN, J. C. Appeared and qualified.....		1
Appointed on committees.....		34
Bills introduced.....	31, 177, 209,	331
Granted leave of absence.....	66, 82,	483
Petitions.....	112,	252
Reports.....	208, 233, 291, 336, 346, 350,	382
Resolution.....		93
COLEMAN, J. H. An Act for the relief of.....		385
COLUSA COUNTY. Bills concerning.....		111
Reports of delegation.....	111, 195, 318, 383, 432,	463
COMMITTEE OF CONFERENCE. Report on A. B. 386.....		368
Report on A. B. 436—Constitutional Convention.....		432
Concurrence of Assembly in report on A. B. 436.....		442
Committee appointed on A. B. 500.....		444
Committee appointed on S. B. 200.....		456
Report on A. B. 500.....		474
Committee appointed.....		475
Report on A. B. 433.....		499
Report on A. B. 200.....		526
Committee appointed on S. B's 154, 153, and 155.....		528
Report on S. B. 104.....		529
Committee appointed on A. B. 764.....		546
Report on S. B's 153, 154, 155, and 156.....		550
Report on A. B. 764.....		550
Committee appointed on A. B. 764.....		551
Report of committee on A. B. 764.....		557
COMMITTEES, SPECIAL. Appointment of.....	6,	139,
	144, 163, 239, 277, 339, 357, 444, 475, 528, 546, 551, 561,	577
Reports of.....	8, 9, 20, 30, 53, 61, 67, 200, 219, 283, 292, 319, 339, 354, 368,	
	375, 431, 432, 449, 456, 474, 499, 526, 529, 550, 557, 559, 569, 575, 576, 577,	578
COMMITTEES, STANDING. Appointment of.....		34
On Agriculture.....	61, 145, 218, 239, 241, 260, 282, 407, 449, 461, 485,	491
On Claims.....	80, 477,	486
On Commerce and Navigation.....		97,
	159, 180, 218, 222, 240, 290, 337, 365, 415, 439, 449, 476, 497,	529
On Contingent Expenses.....	40, 47, 49,	52,
	91, 125, 128, 137, 185, 186, 211, 228, 290, 355, 424, 485, 497, 518, 540, 549,	557
On Corporations.....	97, 135, 145,	
	180, 192, 239, 327, 337, 405, 416, 431, 449, 459, 461, 486, 491, 497, 512, 528,	550
On County and County Boundaries.....		290, 519
On Education.....	60, 96, 113, 168, 227, 291, 430, 441, 448,	510
On Engrossment.....	40, 42, 46, 52, 61, 63, 68, 73, 84, 94, 102, 106, 120, 126, 135, 141, 145,	
	154, 157, 158, 171, 176, 183, 199, 202, 214, 227, 237, 239, 246, 256, 270, 279, 287,	
	295, 300, 308, 312, 320, 250, 357, 373, 381, 387, 397, 406, 412, 429, 432, 441, 457, 461,	
	471, 476, 483, 484, 487, 493, 503, 511, 524, 526, 532, 537, 538, 546, 547, 552, 559	
On Enrollment.....	41, 43, 64, 67, 76, 77, 88, 94, 102, 137, 157, 166, 175, 178, 189, 206,	
	216, 221, 262, 264, 303, 310, 323, 325, 333, 353, 363, 371, 403, 414, 428, 441, 444, 451,	
	462, 486, 490, 496, 506, 508, 509, 517, 525, 527, 540, 546, 551, 552, 559, 573, 576,	577
On Federal Relations.....		46,
	52, 96, 121, 138, 145, 149, 165, 175, 232, 299, 319, 364, 378, 389, 451, 479,	560
On Finance.....	60, 64, 146, 156, 185,	
	225, 227, 240, 243, 275, 290, 365, 374, 375, 405, 415, 441, 448, 497, 511, 536,	570
On Hospitals.....		52, 107,
	200, 266, 282, 299, 312, 322, 398, 407, 431, 439, 449, 462, 476, 510, 518, 519,	550
On Internal Improvements.....		486
On Judiciary.....	52, 61, 66, 67, 79, 90, 96, 113, 121, 126, 133, 141, 148, 164, 169, 174, 179,	
	192, 226, 232, 243, 252, 260, 272, 274, 282, 289, 299, 305, 317, 320, 337, 354, 366,	
	382, 398, 404, 415, 429, 439, 447, 460, 462, 487, 497, 512, 518, 528, 534, 547,	567
On Mileage.....	46, 180, 437, 438, 439,	445
On Military Affairs.....	227, 240, 299, 439,	471
On Mines and Mining.....		291
On Public Buildings.....		445, 569
On Swamp and Public Lands.....	275, 375, 399, 430, 452, 467, 476, 498,	534
On Public Morals.....		366
On Public Printing.....		79

COMMITTEES, STANDING. On Roads and Highways.....	218, 241
On State Library.....	476
On State Prison.....	415, 476, 497, 529, 539
On Irrigation and Water Rights.....	148, 241, 305, 391, 444, 510
On Fisheries and Game.....	305, 439, 520
COMMUNICATIONS. From the National Board of Trade, Chicago.....	113
From D. Kearney and H. L. Knight.....	138
From Thos. Beck, Secretary of State, Constitutional Convention.....	140
From Thos. Beck, Secretary of State, Constitutional Convention.....	144
From Robt. Beck, Agricultural Society.....	147
From Cambria Grange, P. H.....	148
From Protestant Orphan Asylum.....	148
From State Woman's Hospital.....	148
From Lake County, remonstrance.....	168
From Joseph H. Swain, anti-monopoly.....	178
From Hon. C. P. Berry, Speaker of Assembly.....	211
From Professor Davidson, geological survey.....	259
From State Prison Directors.....	320
From Charles E. Pickett.....	322
From John Mullan, remonstrating against passage of S. B. 297.....	354
From Joseph H. Swain, anti-monopoly.....	364
From Ladies' Benevolent Association, Placerville.....	390
From Jas. M. McDonald and James W. Carpenter, concerning El Dorado County bonds.....	418
From John Dougherty, relative to Senator Bones.....	446
From John Mullan, about water.....	537
CONSTITUTIONAL CONVENTION. Consideration of bills concerning.....	308, 310, 325, 432
CONTRA COSTA COUNTY. Bills concerning.....	37, 142, 220, 306, 339, 358, 436
Reports of delegation.....	355, 463
COX, FRED. Elected Trustee of State Library.....	131
CRAIG, JOSEPH. Appeared.....	1
Appointed on committees.....	34, 239, 277, 466
Bills introduced.....	11, 27, 31, 35, 76, 80, 100, 161, 182, 190, 202, 229, 244, 277, 285, 321, 386, 400, 402, 436, 502, 507
Reports.....	42, 61, 63, 157, 158, 176, 237, 287, 295, 350, 352, 357, 381, 462
Resolutions.....	13, 29, 33, 41, 45, 89, 182, 349, 387, 537
CRANE, IRWIN I. Nominated as Trustee of the Asylum for Deaf, Dumb, and Blind.....	116
Confirmed.....	117
CRANE, W. H. Appeared and qualified.....	1
Appointed on committees.....	34, 70
Bills introduced.....	142, 229, 395, 411
Petitions.....	120
Reports.....	40, 47, 49, 67, 115, 127, 244, 277, 290, 328, 346, 383, 392, 416, 417, 432, 463, 519
Resolutions.....	47, 49, 166, 437
CURTIS, N. GREENE. Appeared and qualified.....	1
Appointed on committees.....	34, 109, 561
Bills introduced.....	101, 119, 136, 182, 220, 293, 393, 546, 520
Granted leave of absence.....	346
Petitions.....	113, 153
Reports.....	305, 306, 392, 415, 451, 476, 477, 498, 511, 519, 534, 569
Resolutions.....	28, 82, 93, 118, 130, 339, 523

D

DAVIDSON, GEO. Appointed Regent of the University of California.....	43
Confirmed.....	59
DEAN, PETER. Appeared and qualified.....	1
Appointed on committees.....	34, 41, 78, 82, 139
Bills introduced.....	31, 75, 136, 165, 268, 321, 339, 359, 436, 442, 464
Denies the authorship of S. B. 297.....	399
Granted leave of absence.....	39, 242
Petitions.....	174, 336
Reports.....	354, 449, 559
Resolutions.....	93, 109, 349, 437
DEL NORTE COUNTY. Reports of delegation.....	53, 312
DONOVAN, M. J. Appeared.....	1
Appointed on committees.....	39
Bills introduced.....	31, 62, 77, 92, 138, 255, 278, 332, 351, 369, 402, 437, 465, 501, 514
Correction of vote.....	460
Granted leave of absence.....	242

DONAVAN, M. J. Reports	40, 47, 49, 113, 252, 455, 482, 569
Resolutions	47, 49, 70, 271, 523
DUKES, CHARLES. An Act for the relief of	170

E

EASTLAND, JOSEPH G. An Act for the relief of	99
EL DORADO COUNTY. Bills concerning	80, 213, 220, 285, 356, 369, 436
Reports of delegation	115, 149, 227, 233, 300, 346, 375, 382, 406, 452, 478, 511, 512
ELECTION OF OFFICERS	2, 5
ELECTION OF UNITED STATES SENATOR	45, 56, 58
EVANS, GEORGE S. Appeared	1
Appointed on committees	6, 34, 82, 90, 163
Bills introduced by	76, 86, 150, 154, 165, 306, 321, 332, 339, 456, 482
Granted leave of absence	39, 106
Reports	8, 169, 383, 440, 471, 529
Resolutions	7, 47, 48, 179, 195, 210, 221, 308, 331, 340, 362, 465, 475, 513, 523, 533

F

FARLEY, JAMES T. Elected United States Senator	56, 58
FLINT, THOMAS. Appeared	1
Appointed on committees	34, 144, 163, 444, 577
Bills introduced	92, 177, 244, 261, 393, 481, 482
Granted leave of absence	71, 78, 100, 346
Petitions	304
Reports	52, 68, 91, 107, 141, 145, 185, 239, 246, 260, 300, 302, 308, 327, 399, 507, 429, 441, 464, 477, 488, 491, 511, 518, 519, 532, 537, 546, 547, 550, 552, 559
Resolutions	64, 123, 300
FOWLER, THOS. Appeared and qualified	1
Affidavits presented	112
Appointed on committees	6, 34, 139, 163
Bills introduced	27, 43, 86, 101, 109, 142, 147, 165, 170, 241, 242, 244, 256, 294, 306, 332, 356, 465, 557
Granted leave of absence	33, 71, 196
Petition	311
Reports	9, 174, 226, 318, 328, 346, 407, 463, 479, 486, 487, 510, 533, 567
Resolutions	38, 47, 99, 370, 386, 490, 539, 561
FRESNO COUNTY. Bills concerning	43, 147, 386
Reports of delegation	174, 326, 318, 328, 407, 479, 533

G

GALLUP, JAMES. Nominated as member of the Board of Pilot Commissioners	116
Confirmed	117
GEORGE, HENRY. Nominated as Inspector of Gas Metres	556
GOODWIN, JESSE O. Appeared and qualified	1
Appointed on committees	34, 78, 277
Bills introduced	26, 85, 133, 190, 277, 293, 351, 369, 386, 393, 400, 411, 481, 513
Reports	283, 301, 337, 389, 432, 477, 529, 534
Resolutions	19, 48, 100, 136, 550
GOVERNOR'S MESSAGES. Transmitting biennial report of Board of Park Commissioners of San Francisco	43
Transmitting list of appointments	43
Approving S. B's 17 and 24	68
Approving S. B's 59 and 75	71
Relative to death of Victor Emmanuel	104
Transmitting report of Commissioners of Public Lands	107
Transmitting report of Commissioners of Transportation	107
Approving S. B's 2, 43, 131, 169, and 3	115
Appointing Joseph Austin as Port Warden of the Port of San Francisco	116
Appointing James Gallup as Pilot Commissioner for the Ports of San Francisco, Mare Island, etc.	116
Appointing Erwin I. Crane and Thomas Yolland as Trustees of the Asylum for the Deaf, Dumb, and Blind	116
Appointing John L. Beard as Regent of the University of California	116
Appointing S. H. Holmes and Frank Stewart as members of the Board of Directors of the Stockton Asylum	116

GOVERNOR'S MESSAGES. Transmitting report of Harbor Commissioners	132
Approving S. B's 16, 39, 62, 69, 150, 181, 199	167
Approving S. B's 6, 226, 247	180
Returning S. B. 71	180
Relative to Hastings' Law School	212
Approving S. B's 67, 71, 103, 128, 168	219
Vetoing S. B. 45	219
Approving S. B's 40, 68, S. S. B's 90, 75, 173, S. B's 93, 130, 159, 145, 106, 146, 159, 192, 220, 261	253
Approving S. B's 42, 61, 267, 332, 370	292
Appointing Wm. Blanding member of State Board of Harbor Commissioners	320
Approving S. B's 89, 91, 118, 275, 375, 390, 401, 404, 409, 445	329
Returning S. B. 275 for correction	333
Vetoing S. S. B's 416, 417	342
Approving S. B's 185, 265, 367, 490	366
Approving S. B's 32, 49, 87, 94, 112, 116, S. S. B. 136, S. B's 161, 182, 189, 193, S. B. 202, S. B's 216, 217, 254, 287, 304, 330, 403, 463	384
Vetoing S. B. 252, Seventh Street Commission bill of San Francisco	395
Approving S. B's 255, 238, 151, 174, 315, 207, 11, 33, 58, 115, 162	417
Approving S. B. 163, S. S. B. 209, S. B's 233, 281, 285, 286, 288, 310, 339, 342, 343, 344, 346, 354, 356, 378, 379, 380, 382, 386, 392, 393, 422, 449, 428, 82	418
Concerning El Dorado County bonds	418
Approving S. B's 1, 299, S. S. B. 353, S. B's 523, 141, S. S. B. 212, S. B. 57	433
Approving S. B's 44, 60, 138, 144, 239, 269, 273, 434	452
Approving S. B. 35, S. S. B. 186, S. B's 271, 291, 389, 444, 479	464
Approving S. B's 26, 31, 263, 317, 361, 398, 474, 507	488
Approving S. S. B. 70, S. B's 423, 501, 508, 565	499
Returning S. B. 535	499
Approving S. B's 14, 114, 219, 280, 345, 364, 384, 554, 480, 490	514
Returned without approval S. B. 218	514
Returned without approval S. B. 269	515
Appointing E. J. Lewis Major-General, N. G. C.	524
Vetoing S. B. 305	534
Appointing Henry George Inspector of Gas Metres	556
Appointing Mora Moss Trustee of Asylum for Deaf, Dumb, and Blind	556
Appointing B. F. Tuttle Insurance Commissioner	556
Appointing A. S. Hallidie, Horatio Stebbins, and J. S. Hager, Regents of University	556
Appointing E. J. Lewis Major-General, N. G. C.	556
Appointing John C. Maynard as Insurance Commissioner	560
Approving S. B's 307, 352, 356, 369, 384, 428, 452, 478, 505, 506, 520, 522	562
Approving S. B's 535, 559, 564, 567, 575, 488, 510, 517, 536, 86, 425, 456, 457, 462, 489, 511, 516, 519, 547, 561, 566, 569, 577, 579, 581, 598	563
Approving S. B's 600, 618, 640, 183, 418, 682, 494, 503, 573, 580, 630, 621, 620	564
Approved S. S. B. 81, and gave reasons therefor	564
Approved S. B's 203, 108, 221, 222, 303, 556, 586, 611, 619, 624, 626	565
Approved S. B's 627, 631, 633, 650, 672, 225, 234, 424, 423, 444, 609, 628, 634, 638, 656, 658, 659, 664, 667, 678	566
Approved S. B's 495, 358, 368, 550, 231, 214, S. S. B. 155, S. S. B. 154, S. S. B's 153 and 156, S. B's 685, 686, 256, 533, 549, 613	570
Approved S. B's 661, 676, 260, 334, 460, 646, 414, 464, 111, 420, 560, 571, 201, 276, 274, 292, 450, S. S. B. 525	571
Approved S. S. B. 365, S. B's 442, 277, 435, 66, 205, 97, 455, 670, 270, S. S. B. 148	576
Approved S. B. 164, 620, 665, 679, 493, S. S. B's 109 and 293, S. B. 641, S. S. B. 257, S. B's 636, 662, 594	577
GWIN, WM. M., Jr. Appeared and qualified	1
Appointed on committees	34, 90, 475, 546
Bills introduced	101, 123, 146, 150, 210, 395, 402, 456
Leave of absence	66, 71, 74, 78, 243, 403
Petition	232
Remonstrances	225, 364
Reports	365, 467, 560
Resolutions	380, 442

H

HAGER, JOHN S. Appointed Regent of the University of California	556
Confirmed	557
HALLIDIE, A. S. Appointed Regent of the University of California	556
Confirmed	557
HAMILTON, JO. Elected Trustee of the State Library	131

HATCH, F. W. Elected Trustee of the State Library-----	131
HAYMOND, CREED. Appeared-----	1
Appointed on committees-----	34, 83, 94, 95, 144, 277, 528, 546
Bills introduced-----	11, 16, 17, 18, 27, 31, 44, 51, 86, 93, 111, 123, 147, 161, 170, 181, 202, 233, 262, 277, 310, 326, 332, 351, 356, 375, 423, 437, 468, 499, 501, 502, 514
Granted leave of absence-----	71
Petitions-----	30, 39, 140, 153, 232, 274, 281, 316
Reports-----	6, 30, 84, 179, 339, 368, 444, 478, 529, 550, 569
Resolutions-----	12, 17, 19, 28, 63, 70, 76, 87, 93, 142, 247, 268, 317, 393, 504, 575
HENDRICKS, JOHN Q. An Act for the relief of-----	244
HILBORN, S. G. Appeared-----	1
Appointed on committees-----	34, 63, 83, 146, 193, 357, 370, 575
Bills introduced-----	69, 76, 89, 99, 154, 158, 220, 241, 285, 294, 321, 356, 376, 393, 442, 437
Granted leave of absence-----	20
Petitions-----	39, 45
Reports-----	52, 283, 305, 327, 336, 337, 383, 431, 432, 439, 441, 452, 520, 574
Resolutions-----	10, 19, 32, 50, 56, 63, 64, 108, 142, 213, 268, 370, 371, 424, 447, 466, 510
HILL, W. McPIERSON. Appeared-----	1
Appointed on committees-----	34, 63, 109, 193, 577
Bills introduced-----	93, 285, 306, 394
Granted leave of absence-----	66, 71, 413, 427
Petitions-----	39, 84, 96, 140, 260, 281
Remonstrance-----	311
Reports-----	61, 84, 97, 145, 146, 218, 239, 241, 260, 266, 282, 346, 375, 407, 449, 450, 461, 462, 478, 485, 491, 498, 519, 529, 533, 560, 574
Resolutions-----	10, 399, 561
HINCKSON, ADD C. An Act for the relief of-----	203
HOAGLAND, JOHN. An Act for the relief of-----	101
HOLMES, S. A. Nominated as Director of the Stockton Insane Asylum-----	116
Confirmed-----	118
HORAN, M. S. Appointed Brigadier-General, Fourth Brigade, N. G. C.-----	43
HOWE, ROBERT. Appeared-----	1
Appointed on committees-----	34, 193
Bills introduced by-----	11, 62, 69, 70, 75, 86, 92, 95, 128, 150, 154, 165, 190, 229, 233, 268, 369, 386, 423, 436, 481, 502
Granted leave of absence-----	71
Petitions-----	78, 148, 152, 192, 304, 438, 486
Reports-----	40, 52, 84, 94, 97, 106, 125, 159, 180, 214, 218, 222, 227, 240, 290, 311, 312, 337, 365, 405, 415, 449, 476, 497, 529
Remonstrance-----	391
Resolutions-----	44, 230, 466, 495, 523, 561
HUBBARD, R. D. An Act for the relief of-----	244
HUMBOLDT COUNTY. Report of delegation-----	80, 149, 169, 227, 319, 329, 441, 498
HUNT, EDWARD. An Act for the relief of-----	76

I

INYO COUNTY. Bill concerning-----	241
Reports of delegation-----	318, 346

J

JEFFERIS, E. G. An Act to pay the claim of-----	93
JOHNSON, JOHN. An Act for the relief of-----	489
JOINT CONVENTIONS. Election of United States Senator-----	56
Election of Trustees for State Library-----	130

K

KERN COUNTY. Bills concerning-----	332
Reports of delegation-----	226, 328
KIRBY, EDWARD C. An Act for the relief of-----	123
KLOPPENBURG, OTTO. An Act for the relief of-----	11
KNOX, GEO. C. An Act for the relief of-----	101
KREBS, C. H. An Act to pay the claim of-----	44

L

LAKE COUNTY. Bill concerning	62
Reports of delegation	84, 97, 146, 266, 346, 375, 407, 450
LAMBERT, JOHN S. Appeared and qualified	1
Appointed on committees	34, 41, 67, 118, 277, 370
Bills introduced	92, 102, 133, 158, 209, 241, 244, 245, 278, 356, 369, 457
Granted leave of absence	71, 74, 378
Correction of Journal	486
Reports	46, 52, 96, 121, 130, 138, 145, 149, 165, 175, 200, 232, 272, 275, 283, 299, 319, 354, 364, 378, 399, 431, 451, 479, 560, 570
Resolutions	17, 87, 339
LASSEN COUNTY. Bills concerning	411
Reports of delegation	416, 417
LEWIS, E. J. Appeared	1
Appointed on committees	6, 34, 41, 139, 144, 277, 357, 575
Bills introduced	16, 26, 35, 135, 170, 202, 228, 229, 255, 306, 321, 332, 355, 388, 402, 442
Elected President <i>pro tem</i>	2
Granted leave of absence	243
Petitions	39, 74, 78
Reports	8, 20, 53, 60, 96, 111, 133, 168, 195, 227, 291, 318, 319, 383, 389, 415, 430, 432, 441, 448, 463, 510, 570, 578
Resolutions by	6, 17, 47, 63, 81, 134, 269, 560, 561, 574, 575
LEWIS, E. J. Appointed Major-General, N. G. C.	524
LOGAN, MRS. T. M. An Act for the relief of	86
LOS ANGELES COUNTY. Bills concerning	31, 85, 111, 209, 229, 255, 402, 422, 423, 501
Reports of delegation	111, 260, 283, 319, 329, 372, 383, 390, 398, 402, 442, 445, 458, 478, 498, 507

M

MAIL CARRIER. Election of	13, 15
MALETON, HENRY. An Act for the relief of	268
MARIN COUNTY. Bill concerning	73
Reports of delegation	260, 416, 431, 452
MARIPOSA COUNTY. Bill concerning	123
MARSHALL, JAMES. An Act for the relief of	268
MASLIN, E. W. Elected Trustee of the State Library	131
McCARATHY, T. Appeared	1
Appointed on committees	34
Bills introduced	110, 160, 190, 202, 228, 326
Granted leave of absence	71, 74, 82, 138, 192, 281
Reports	41, 43, 64, 67, 88, 94, 102, 137, 149, 157, 178, 189, 206, 216, 262, 264, 323, 325, 333, 352, 353, 363, 403, 414, 428, 451, 459, 484, 490, 496, 506, 508, 509, 517, 525, 527, 540, 546, 551, 522, 559, 573, 576, 577
Resolutions	56, 66, 349
McCOPPIN, FRANK. Appeared	1
Appointed on committees	13, 34, 41, 95, 144, 475, 546, 561
Bills introduced	11, 35, 40, 55, 56, 69, 86, 99, 100, 122, 128, 142, 161, 165, 170, 190, 220, 285, 320, 321, 351, 369, 386, 388, 390, 424, 489, 555
Granted leave of absence	74, 138
Petitions	112, 192, 232, 320
Protest	376
Reports	80, 149, 156, 185, 219, 225, 227, 240, 243, 275, 276, 290, 374, 375, 405, 441, 448, 477, 486, 497, 511, 526, 536, 550, 570
Resolutions	7, 19, 27, 28, 35, 47, 83, 93, 109, 128, 130, 158, 250, 301, 400, 493, 538
McGARVEY, R. Appeared	1
Appointed on committees	34, 41, 528
Bills introduced	26, 50, 73, 86, 122, 177, 202, 210, 229, 294, 332, 351, 369, 388, 436, 482, 520
Granted leave of absence	179
Petitions	39, 336
Reports	52, 53, 61, 66, 67, 79, 80, 90, 96, 113, 121, 126, 141, 148, 149, 154, 164, 169, 174, 192, 226, 227, 243, 252, 260, 289, 292, 305, 312, 318, 319, 320, 329, 337, 339, 354, 366, 368, 382, 398, 404, 429, 432, 439, 441, 444, 447, 451, 461, 476, 478, 497, 498, 503, 511, 512, 518, 528, 529, 534, 550, 567
Remonstrance	168
Resolutions	6, 7, 36, 51, 89, 195, 345, 506
McLANE, CHAS. E. An Act for the relief of	99

MENDOCINO COUNTY. Bills concerning	73, 202, 332, 520
Reports of delegation	80, 154, 318, 432, 451, 478, 503, 511
MERCED COUNTY. Bills concerning	63, 158, 307, 465, 489
Report of delegation	201
MODOC COUNTY. Bills concerning	27, 386
Reports of delegation	329, 391, 417
MONO COUNTY. Reports of delegation	351, 407
MONTEREY COUNTY. Bill concerning	482
Reports of delegation	91, 488, 550
MONTGOMERY, J. M. Appeared	1
Appointed on committees	34, 41, 90, 163
Bills introduced	35, 63, 73, 123, 136, 154, 158, 306, 351, 465, 489
Granted leave of absence	18, 20, 66, 82, 208, 242
Reports	201, 346, 368, 374, 441, 478
Resolutions	81, 108, 177, 466, 536
MONTGOMERY, W. F. An Act to confirm letters patent to	27
MOSS, J. MORA. Appointed Trustee of Asylum for Deaf, Dumb, and Blind	556
MONROE, JAMES, AND OTHERS. An Act for the relief of	321
MURPHY, B. D. Appeared and qualified	1
Appointed on committees	34, 90, 144, 163, 193, 444, 551, 575
Bills introduced	11, 44, 73, 92, 109, 123, 146, 177, 209, 233, 241, 255, 227, 278, 306, 369, 395, 436, 457, 465, 502
Granted leave of absence	33, 192
Petitions	90, 96, 112
Reports	200, 240, 252, 272, 275, 319, 350, 373, 379, 547, 557
Resolutions	10, 74, 63, 490, 562
MURPHY, J. C. Appeared and qualified	1
Appointed on committees	34, 370
Bills introduced	35, 37, 73, 86, 109, 128, 136, 339, 369, 437, 513
Granted leave of absence	20, 60, 138, 243
Petition	4
Reports	79, 306, 329, 352, 431, 439, 569
Resolutions	93, 370, 394, 504
MURPHY, P. W. Appeared and qualified	1
Appointed on committees	34, 82
Bills introduced	31, 91, 128, 136, 139, 165, 220, 244, 262, 442, 456
Granted leave of absence	37
Petitions	84, 206, 232, 243
Reports	40, 49, 79, 111, 135, 137, 146, 148, 218, 241, 266, 328, 399, 417, 431, 451, 464, 487, 570
Resolutions	49, 94, 129, 137, 223, 395

N

NAPA COUNTY. Reports of delegation	450, 462, 478, 498, 519, 533, 560
NEVADA COUNTY. Bills concerning	11, 146, 177, 190, 209, 331, 356
Reports of delegation	208, 233, 291, 336, 346, 350, 382
NORTON, W. C. Appeared and qualified	1
Appointed on committees	6, 34, 41, 94
Bills introduced	27, 36, 92, 109, 278
Granted leave of absence	164, 192, 208, 374
Reports	9, 283, 310, 350
NUNAN, EDWARD. Appeared	1
Appointed on committees	34, 41, 239
Bills introduced	18, 36, 62, 89, 92, 99, 170, 195, 202, 220, 294, 351, 370, 395, 437, 464, 481
Granted leave of absence	66, 71, 74, 82, 134, 138, 242, 311, 403
Petitions	120
Reports	42, 98, 114, 121, 146, 149, 153, 169, 175, 178, 198, 216, 218, 225, 240, 260, 266, 282, 292, 299, 305, 328, 342, 347, 355, 383, 439, 450, 462, 467, 477, 487, 498, 512, 529, 539, 569
Resolutions	7, 32, 36, 49, 63, 147, 457

O

ODELL, JOHN A. An Act for the relief of	123
OFFICERS. Election of	2, 5
ONDERDONK, ANDREW. An Act for the relief of	69

P

PETITIONS	30, 39, 45, 74, 75, 78, 83, 84, 90, 96, 112, 113, 120, 126, 138, 140, 148, 152, 153, 174, 185, 192, 200, 206, 232, 243, 252, 259, 260, 274, 281, 289, 304, 311, 317, 320, 326, 327, 336, 354, 390, 438, 457, 464, 486
PIERSON, WILLIAM M. Appeared	1
Appointed on committees	6, 13, 34, 95, 144, 528
Bills introduced	11, 16, 27, 43, 72, 75, 80, 86, 91, 97, 109, 133, 135, 154, 158, 165, 170, 182, 190, 202, 209, 220, 234, 255, 268, 277, 278, 294, 306, 385, 389, 400, 465, 481, 502
Granted leave of absence	242
Petition	281
Reports	8, 15, 232, 272, 274, 275, 282, 299, 317, 339, 368, 375, 399, 430, 432, 452, 467, 476, 487, 498, 534, 550, 570
Resolutions	28, 29, 95, 105, 166, 196, 217, 286, 294, 363, 412, 506, 516, 574
PLACER COUNTY. Bills concerning	27, 36, 278
Reports of delegation	283, 350
PLUMAS COUNTY. Reports of delegation	115, 277, 383, 432
PORTER, NATHAN. Appeared and qualified	1
Appointed on committees	13, 34, 41
Bills introduced	11, 18, 26, 40, 50, 73, 76
Granted leave of absence	42, 78
Petition	45
Reports	52, 68
Resolution	56
Death announced	82

R

REAM, DANIEL. Appeared and qualified	1
Appointed on committees	34, 63, 357, 551
Bills introduced	27, 40, 86, 107, 190, 202, 229, 244, 285, 386, 400, 481, 553
Granted leave of absence	346
Petitions	84, 327, 381
Reports	46, 61, 68, 73, 102, 111, 120, 135, 141, 145, 154, 170, 183, 185, 199, 200, 201, 208, 239, 256, 266, 270, 279, 282, 294, 308, 312, 318, 320, 322, 329, 387, 391, 397, 398, 406, 412, 417, 431, 432, 439, 449, 451, 457, 461, 462, 467, 471, 476, 483, 487, 493, 503, 510, 511, 519, 524, 526, 538, 550, 557
Resolutions	32, 70
REMONSTRANCES. From School Trustees and others in Santa Barbara	84
From residents of Nevada County	112
From various parties, against passage of S. B. 51	112
From residents of the City of Oakland	126
From residents of Nevada County	126
From citizens of Lake County	168
From citizens of San Francisco	174
From citizens of Calaveras County	225
From citizens of Santa Barbara	232
From citizens of Plumas County	274
From citizens of Napa County	281
From citizens of Napa County	311
From citizens of Marin County	326
From citizens of Siskiyou County	327
From citizens of Mendocino County	336
From citizens of San Francisco	336
From residents of Calaveras County	364
From citizens of Shasta County	381
From ship owners, merchants, and others in San Francisco	391
RESOLUTIONS. By Agency, relative to informing Assembly that Senate is organized	6
By Lewis, relative to appointment of committee to draft rules	6
By McGarvey, relative to copies of Codes and Statutes for Senators	6
By McGarvey, relative to appointment of Night Watchman	6
By McLaughlin, relative to appointment of McLaughlin as Porter	7
By Russell, relative to appointment of John Wells as Post-office Page of Senate	7
By Evans, relative to appointment of a Page for presiding officer	7
By McGarvey, providing members with stamps and post-paid cards	7
By Nunan, relative to ladies' dressing-room	7
By Hudson, relative to appointment of Parsons as Mail Carrier	10
By Hill, relative to appointment of Stevens as Mail carrier	10
By R. D. Murphy, relative to appointment of Gray as Mail Carrier	10
By Raymond, relative to limiting the disposition by will of land	12

RESOLUTIONS. By Craig, relative to appointment of Mail Carrier.....	13
By Shirley, relative to assistant for Journal Clerk.....	15
By Haymond, relative to Clerk for Sergeant-at-Arms.....	17
By Lewis, relative to increase in standing committees.....	17
By Angney, relative to paying late officers for services.....	17
By Lambert, relative to appointment of Committee Room Porter.....	17
By Haymond, relative to furnishing reporters with stationery and Codes.....	17
By Angney, relative to instructions to Sergeant-at-Arms.....	18
By Hilborn, relative to printing copies of Governor's Message.....	19
By Goodwin, relative to authorizing Enrolling Clerk to employ copyists.....	19
By McCoppin, relative to having bound copies of Report of Transportation Com- mission.....	19
By Satterwhite, relative to allowing no smoking in Senate Chamber.....	19
By Haymond, relative to procuring better ventilation in the Senate Chamber.....	19
By Haymond, relative to transmitting documents to Masonic Library at Salt Lake.....	19
By Beazell, relative to allowing the Sergeant-at-Arms two Committee Room Porters.....	19
By Rogers, relative to number of members of Senate committees.....	26
By McCoppin, relative to instruction to Congressmen concerning Chinese immi- gration.....	27
By Curtis, relative to remonetizing silver, abolishing national banks, etc.....	28
By Haymond, relative to modifying treaties between the United States and China.....	28
By Curtis, relative to erection of federal buildings in Sacramento, and the improve- ment of navigation in the Sacramento River.....	28
By Pearson, relative to right of Legislature to adjourn for the holiday recess.....	28
By McCoppin, relative to Senate bills containing in the title the subject matter of the bills.....	28
By Pearson, relative to allowing the San Francisco delegation to appoint a Clerk.....	29
By Craig, relative to allowing three days' pay to Clerk to Sergeant-at-Arms.....	29
By Pearson, relative to requiring the Clerks of Alpine, Amador and other coun- ties to transmit election returns.....	29
By Hilborn, relative to procuring money for the Mare Island Dry Dock.....	32
By Nunan, relative to pay of Clerk of San Francisco delegation.....	32
By Shirley, relative to Assistant Journal Clerk of Senate.....	32
By Shirley, relative to Assistant for Minute Clerk of Senate.....	32
By Ream, relative to Senate committees.....	32
By Craig, relative to ladies' dressing-room.....	33
By McCoppin, that Searls and Haymond be added to the Judiciary Committee.....	35
By Rogers, relative to framing joint standing rules.....	35
By Porter, relative to joint committee to consider bills, etc., on Chinese immigra- tion.....	36
By Nunan, relative to continuation of Casey as Gate-keeper and Porter.....	36
By McGarvey, relative to Clerk for Committee on Judiciary.....	36
By Angney, relative to allowance to James Saultrey as Watchman.....	37
By Satterwhite, relative to Congressmen supporting the Texas and Pacific Railroad Bill.....	37
By Fowler, relative to appointment of Porter and Door-keeper.....	38
By Angney, relative to appointment of Committee on Public Expenditures.....	38
By Searls, relative to Clerk for Committee on Corporations.....	41
By Craig, relative to lanterns for Capitol.....	41
By Smith, relative to amendments in the election law.....	44
By Shirley, relative to Clerk for Committee on State Prison.....	44
By Howe, relative to Clerk for Printing Committee.....	44
By Craig, appointing Charles Moreno, Porter and Messenger.....	45
By Smith, authorizing the Treasurer to draw warrants for mileage.....	46
By Committee on Contingent Expenses, relative to pay for Clerk to Sergeant-at- Arms.....	47
By Searls, appointing Paper-folder for Sergeant-at-Arms.....	47
By Evans, relative to procuring money for public buildings in the City of Stock- ton, and improvement of navigation in the San Joaquin River.....	47
By McCoppin, relative to appropriation to pay J. L. Love.....	47
By Lewis, relative to adjournment during the holidays.....	47
By Fowler, appointing E. M. Reading a clerk.....	47
By Goodwin, relative to improvement of Feather River, and Marysville Postoffice.....	48
By Evans, relative to election of United States Senator.....	48
By Committee on Contingent Expenses, authorizing the Enrolling Clerk to employ a copyist.....	49
By Nunan, that one thousand copies of Bill No. 23 be printed.....	49
By Hilborn, relative to meeting of Assembly to elect United States Senator.....	50
By McGarvey, relative to amending the Political Code, so as to levy taxes during February.....	51
By Hilborn, relative to delivering no printed bills except on the written order of a Senator.....	56

RESOLUTIONS. By McCarthy, relative to allowing Rear Porter three days' pay.....	56
By Lewis, that Ream and Hilborn be added to Committee on Education.....	63
By Haymond, that Hill be added to Committee on State Prison.....	63
By Nunan, relative to placing copies of the Statutes on Senators' desks.....	63
By Hilborn, relative to allowing reporters copies of bills, etc.....	63
By Hilborn, relative to meetings of Committee on Fisheries and Game during the holidays.....	64
By Flint, relative to reports for Golden Gate Academy.....	64
By Rogers, allowing the claim of John L. Love.....	64
By McCarthy, relative to return of S. B. No. 2, to Enrolling Committee.....	66
By Rogers, relative to Paper-folder for Sergeant-at-Arms.....	67
By Haymond, adding Crane to Committee on Public Lands.....	70
By Beazell, adding Angney to Committee on State Prison.....	70
By Searls, giving instruction to the Committee on Hospitals.....	70
By Ream, relative to Clerk for Hospital Committee.....	70
By Donovan, relative to Clerk for Committee on Buildings and Grounds.....	70
By Donovan, giving instructions to Committee on Buildings and Grounds.....	70
By Rogers, concerning acquisition of Government lands.....	72
By B. D. Murphy, relative to Clerk to Committee on Swamp Lands.....	74
By Haymond, relative to duties of Committee on Irrigation.....	76
By Rogers, relative to Point San José Reservation.....	81
By Satterwhite, relative to currency.....	81
By Lewis, relative to Clerk for Committee on Education.....	81
By Montgomery, relative to Committee on Yosemite.....	81
By Curtis, relative to the death of Nathan Porter.....	82
By McCoppin, that Searls and Haymond be added to Judiciary Committee.....	83
By Beazell, referring to death of Nathan Porter.....	87
By Lambert, referring to vote on Constitutional Convention.....	87
By Haymond, referring to oil paintings for library.....	87
By Craig, relative to allowing pay to Charles Moreno.....	89
By McGarvey, relative to printing file for Judiciary Committee.....	89
By Rogers, relative to compensation for Charles Moreno.....	91
By Haymond, referring to public lands.....	93
By J. C. Murphy, relative to books for the B'nai Brith Society.....	93
By Beazell, relative to postage stamps.....	93
By Dean, relative to printing bills for San Francisco delegation.....	93
By Curtis, relative to funeral expenses of Porter.....	93
By Haymond, relative to Committee on Mining Debris.....	93
By Coleman, relative to Committee on Mines and Mining Interests.....	93
By P. W. Murphy, concerning Committee on Irrigation.....	94
By Pierson, rescinding resolution concerning Irrigation Committee.....	95
By McCoppin, relative to State Board of Engineers.....	95
By Fowler, relative to Constitutional Convention and adjournment.....	99
By Goodwin, relative to mining debris.....	100
By Pierson, relative to death of Victor Emanuel.....	105
By Hilborn, that Assembly return S. B. 19.....	108
By Hilborn, relative to trespass laws.....	108
By McCoppin, adding Curtis and Hill to Finance Committee.....	109
By Satterwhite, relative to Clerk for Committee on Irrigation.....	109
By Dean, relative to trans-continental railroad.....	109
By Curtis, relative to Trustees of State Library.....	118
By Beazell, appointing Assistant Porter.....	119
By Flint, relative to duties on woolens.....	123
By McCoppin, relative to Committee on Finance and Claims.....	128
By P. W. Murphy, relative to translating laws into Spanish.....	129
By Satterwhite, relative to Irrigation Committee.....	129
By McCoppin, relating to Clerk to Finance Committee.....	130
By Curtis, relative to Trustees of State Library.....	130
By Lewis, relative to a recess each day.....	134
By Goodwin, relative to S. B. 218.....	136
By P. W. Murphy, relative to allowing a Clerk for Committee on Claims.....	137
By Hilborn, relative to school books.....	142
By Haymond, relative to Chinese immigration.....	142
By Nunan, relative to labor interests.....	147
By Nunan, relative to ladies' dressing-room.....	147
By Rogers, relative to State Labor Conventions.....	152
By McCoppin, relative to Angel Island as a city cemetery.....	158
By D. B. Murphy, relative to death of Senator Angney.....	163
By Pierson, relative to putting Bones on Labor Committee.....	166
By Crane, relative to Clerk for County Boundary Committee.....	166
By W. H. Brown, relative to funded indebtedness of State.....	170
By Beazell, relative to correcting S. B. 71.....	177

RESOLUTIONS. By Montgomery, relative to paying Sergeant-at-Arms.....	177
By Evans, relative to a short recess.....	179
By Craig, relative to Margaret Hennessy taking charge of Room 47.....	182
By Smith, relative to reorganizing State Board of Education, etc.....	182
By Assembly, relative to death of C. W. Upton.....	193
By Beazell, appointing Bones on Committee of Public Buildings.....	195
By Searls, awarding seat to Senator Bones.....	195
By McGarvey, relative to Clerk of Judiciary Committee.....	195
By Evans, relative to decease of Hon. C. W. Upton.....	195
By Pierson, concerning currency.....	196
By Shirley, relative to pay of certain clerks.....	203
By Rogers, relative to pay of Hiram Clock.....	203
By Beazell, relative to history of Senate bills.....	203
By Shirley, appointing Evans member of the State Prison Committee.....	210
By Evans, relative to fees of Sergeant-at-Arms.....	210
By Hilborn, that Beazell, B. D. Murphy, and Shirley be added to Committee on Fisheries and Game.....	213
By Pierson, relative to printing the laws.....	217
By Evans, relative to funeral expenses of W. Z. Angney.....	221
By P. W. Murphy, relative to use of Senate Chamber for masquerade ball.....	223
By Howe, relative to correcting S. B. 82.....	230
By F. M. Brown, relative to death of Robert Ludgate.....	242
By Satterwhite, relative to pay for Western Union Telegraph Company.....	245
By Smith, relative to representatives to Constitutional Convention.....	247
By Haymond, relative to pay for Mail Carrier.....	247
By McCoppin, to re-commit A. B. 128.....	250
By Bones, relative to fraudulent surveys and land claims.....	256
By Haymond, relative to lecture by Wm. H. Hall.....	268
By Hilborn, relative to Committee on Chinese Immigration.....	268
By Searls, relative to Clerk of Judiciary Committee.....	269
By Lewis, relative to destruction of property in Yolo County.....	269
By Donovan, relative to correction of S. B. 151.....	271
By Smith, relative to freights and fares.....	278
By Pierson, relative to correcting S. B. 290.....	286
By Pierson, relative to U. S. Surveyor-General for California.....	294
By Smith, relative to freights and fares.....	294
By Flint, on engrossing S. B. 401.....	299
By McCoppin, placing Senator Boring on Committees.....	301
By Evans, relative to appointing Jos. R. Beard, Assistant Secretary.....	308
By Haymond, relative to reclamation of overflowed lands.....	317
By Evans, relative to correction of S. B. 275.....	331
By Lambert, relative to allowance to J. W. Hawkins.....	339
By Curtis, relative to payment of H. Clock.....	339
By Evans, relative to postage for Sergeant-at-Arms.....	340
By McGarvey, relative to "History of Senate Bills".....	345
By Dean, relative to printing S. S. B. 297.....	349
By McCarthy, on length of speeches by members.....	349
By Craig, relative to mileage.....	349
By Pierson, relative to engrossment out of order.....	363
By J. C. Murphy, relative to allowing compensation to committee clerk.....	370
By Fowler, relative to A. B. 503.....	370
By Hilborn, relative to appointment of committee.....	370
By Hilborn, allowing mileage to Committee on Fish and Game.....	370
By Hilborn, granting pay to Frank Shay.....	371
By Gwin, relative to Yosemite Valley.....	380
By Fowler, relative to mail service.....	386
By Ream, relative to mail service.....	386
By Beazell, relative to S. B. 510.....	386
By Craig, relative to S. B. 425.....	387
By Haymond, relative to payment of a Porter.....	393
By J. C. Murphy, amending a former resolution.....	394
By P. W. Murphy, relative to a breakwater at Santa Barbara.....	395
By Hill, relative to corrections of S. B. 457.....	399
By Pierson, relative to correction of S. B. 155.....	412
By Hilborn, relative to lighting Senate Chamber with gas.....	424
By Dean, concerning deposits in Savings Banks.....	437
By Crane, relative to pay of a clerk.....	437
By Gwin, relative to enrollment of S. B. 204.....	442
By Smith, relative to S. J. R. 49.....	445
By Hilborn, indorsing action of Senator Bones.....	447
By Beazell, relative to enrollment of S. B. 512.....	447
By Nunan, relative to United States revenue laws.....	457

RESOLUTIONS. By Evans, relative to order of bills on the file	465
By Howe, relative to San Francisco bills	466
By Searls, relative to introduction of bills	466
By Hilborn, relative to pay of Porter	466
By Montgomery, relative to postage	466
By Evans, relative to enrollment of bills	475
By McCoppin, relative to correction of S. B. 535	490
By Fowler, relative to correction of S. B. 515	490
By Searls, relative to arrangement of bills on Senate general file	490
By B. D. Murphy, requesting return of S. B. 292	490
By McCoppin, requesting return of S. B. 535	493
By Howe, requesting return of S. B. 412	495
By Haymond, relative to resurvey of San Pablo and Suisun Bays	504
By J. C. Murphy, relative to Messenger to State Printer	504
By Pierson, relative to United States Engineers	506
By W. H. Brown, relative to return of A. B. 417	506
By McGarvey, relative to payment of Clerk of Judiciary Committee	506
By Hilborn, to correct error in S. B. 503	510
By Evans, relative to rifle teams	513
By Pierson, relative to government of large cities	516
By Howe, relative to pay of clerk	523
By Evans, relative to enrollment of S. B. 50	523
By Curtis, relative to taking care of the clocks	523
By Donovan, relative to pay of clerk	523
By Flint, relative to Brevet-Colonel J. B. Collins	533
By Montgomery, relative to pay of a clerk	536
By Searls, relative to postage	536
By Rogers, relative to postage	536
By Craig, relative to bills on file	537
By Searls, relative to objections to bills	538
By McCoppin, relative to enacting clause in A. B. 153	538
By Fowler, to amend Joint Rule	539
By Beazell, to correct error in S. B. 609	540
By Beazell, relative to enrollment of S. B. 613	540
By Goodwin, relative to pay of Assistant Secretaries of Senate	550
By Lewis, relative to transaction of Senate business	560
By Howe, relative to Journal Clerk	561
By Fowler, relative to Sergeant-at-Arms and his Clerk	561
By Hill, appointing McCoppin, Curtis, and Smith a special committee	561
By Lewis, relative to Postmaster of Senate	561
By B. D. Murphy, relative to allowance to Porter	562
By Rogers, relative to approval and correction of Senate Journal	569
By Pierson, to correct S. B. 665	574
By Lewis, offering thanks to President of Senate	574
By Lewis, appointing committee to wait on the Governor	575
By Haymond, relative to correction of S. B. 153	575
ROGERS, GEO. H. Appeared	1
Appointed on committees	34, 41, 239, 577
Bills introduced	10, 16, 72, 78, 146, 177, 182, 255, 277, 320, 400, 520
Granted leave of absence	134, 242
Petition	354
Reports	40, 47, 49, 52, 53, 67, 77, 125, 128, 185, 186, 192, 201, 210, 228, 290, 328, 355, 424, 432, 436, 483, 485, 497, 518, 528, 529, 549, 557, 578
Resolutions	26, 35, 47, 49, 64, 67, 72, 81, 91, 152, 203, 536, 569
ROLL CALLS. Senators elect	1
For election of United States Senator	49
For election of Trustees for State Library	131
RULES. Appointment of Committee on	6
Report of committee	8
Amendments of	8, 362, 393, 466, 539
RUPE, JOHN W. An Act for the relief of	321

S

SACRAMENTO COUNTY. Bills concerning	11, 17, 86, 111, 154, 234, 326, 375, 393, 456, 501, 514, 520
Reports of delegation	84, 305, 306, 392, 451, 477, 478, 498, 511, 519, 534, 569
SAN BENITO COUNTY. Bill concerning	92
Reports of delegation	107, 146, 260, 519
SAN BERNARDINO COUNTY. Bills concerning	411, 423
Report of delegation	407

SAN DIEGO COUNTY. Bill concerning	489
Reports of delegation	283, 312, 441
SAN FRANCISCO CITY AND COUNTY. Bills concerning	11, 18,
27, 31, 35, 37, 56, 62, 69, 72, 73, 75, 80, 81, 86, 89, 91, 92, 100, 109, 110, 122,	
123, 128, 133, 136, 138, 150, 154, 158, 165, 170, 182, 190, 195, 202, 203, 212,	
220, 228, 229, 233, 255, 268, 277, 278, 294, 320, 326, 351, 352, 369, 375, 386,	
388, 394, 395, 423, 424, 436, 437, 442, 456, 464, 465, 481, 489, 502, 513, 547, 556	
Reports of delegation	42, 98, 114, 121, 146, 149, 153, 169, 175, 178, 198, 216, 218,
225, 240, 252, 260, 266, 276, 282, 292, 299, 305, 306, 311, 312, 328, 329, 342, 347,	
352, 355, 365, 383, 405, 439, 450, 462, 463, 467, 477, 482, 487, 498, 512, 539, 569	
SAN JOAQUIN COUNTY. Bills concerning	76, 150, 154, 165, 234, 339
Reports of delegation	169, 383, 440
SAN LUIS OBISPO COUNTY. Bills concerning	111, 128, 136, 262, 442, 456
Reports of delegation	111, 135, 266, 328, 389, 399, 431, 451, 464, 487
SAN MATEO COUNTY. Bill concerning	255
Reports of delegation	192, 201, 328, 337, 432, 483
SANTA BARBARA COUNTY. Bills concerning	31, 128, 136, 139, 244, 395
Report of delegation	417
SANTA CLARA COUNTY. Bills concerning	109, 234, 241, 255, 277, 307, 369, 426, 465, 502
Reports of delegation	240, 252, 275, 319, 399
SANTA CRUZ COUNTY. Bills concerning	177, 244, 261, 393, 481, 482
Reports of delegation	260, 302, 327, 464, 477, 491, 511
SATTERWHITE, J. W. Appeared	1
Appointed on committees	34, 190, 444
Bills introduced	411, 489
Petition	83
Reports	52, 148, 241, 283, 305, 312, 375, 391, 407, 441, 569
Resolutions	19, 37, 81, 109, 129, 245
SEARLS, NILES. Appeared and qualified	1
Appointed on committees	34, 83, 144, 475, 551
Bills introduced	11, 16, 44, 92, 146, 190, 202, 442, 481
Granted leave of absence	20, 100, 158, 274
Petitions	112, 126
Reports	52, 97, 135, 145, 180, 192, 208,
233, 239, 272, 382, 405, 416, 431, 449, 459, 460, 471, 486, 491, 497, 512, 550, 557	
Resolutions	41, 47, 70, 195, 269, 466, 490, 536, 538
SECRETARY OF STATE. Communications from	15, 29, 94, 140, 144
SHASTA COUNTY. Bill concerning	386
Report of delegation	318
SHIRLEY, PAUL. Appeared	1
Appointed on committees	34, 82, 144
Bills introduced	37, 123, 142, 220, 255, 306, 321, 339, 394, 436, 465
Granted leave of absence	106, 179, 363
Petition	326
Reports	200, 260, 355, 415, 431, 452, 476, 497, 529, 539, 569
Resolutions	15, 32, 44, 203, 210
SIERRA COUNTY. Bill concerning	442
Reports of delegation	416, 471
SISKIYOU COUNTY. Bills concerning	27, 40, 202, 285, 386, 400
Reports of delegation	318, 329, 391, 417, 451
SMITH, GEORGE H. Appeared and qualified	1
Appointed on committees	34, 111, 561
Bills introduced	31, 76,
85, 101, 154, 209, 229, 255, 306, 321, 389, 393, 402, 422, 423, 436, 501, 533	
Granted leave of absence	138, 148, 160, 168
Petitions	30, 39, 84, 112, 185, 200, 232, 457, 464, 486
Reports	46, 180, 260, 283, 319, 329, 372, 383, 390, 398, 402, 442, 445, 448, 478, 498, 507
Resolutions	44, 46, 182, 247, 278, 294, 445
SOLANO COUNTY. Bills concerning	69, 220, 294, 321, 376, 422
Reports of delegation	145, 283, 336, 383, 441, 452
SONOMA COUNTY. Bills concerning	27, 73, 109, 244, 307, 400
Reports of delegation	115, 302, 407, 417, 450, 498, 559
SPRINGER, MARY M. An Act to pay the claim of	123
SPLIVALO, A. D. An Act for the relief of	385
STANISLAUS COUNTY. Reports of delegation	441, 478
STEWART, FRANK. Nominated as Director of the Stockton Insane Asylum	116
Appointment confirmed	118
STANLEY, JOHN A. Appointed Trustee of Asylum for the Deaf, Dumb, and the Blind	43
Confirmed	59
STEBBINS, HORATIO. Appointed University Regent	556
Confirmed	557
STRATMAN, MAJOR JOHN. An Act for the relief of	203

STRETCH, RICHARD H. An Act for the relief of.....	99
SUTHERLAND, JOHN, JR. An Act to provide for the payment of.....	101
SUTTER COUNTY. Bills concerning.....	389, 393
Reports of delegation.....	389, 477
SUTTER, JOHN A. An Act for the relief of.....	390

T

TALCOTT, COOK. An Act for the relief of.....	69
TEHAMA COUNTY. Bills concerning.....	135, 228, 255, 307, 357, 388
Report of delegation.....	319
TIMMINS, JOHN. An Act for the relief of.....	27
TORO, JUAN Dg. An Act for the relief of.....	385
TRINITY COUNTY. Reports of delegation.....	111, 318
TULARE COUNTY. Bills concerning.....	86, 109, 142, 147, 241, 242, 294, 307, 332, 386
Reports of delegation.....	226, 487
TUOLUMNE COUNTY. Bill concerning.....	395
Reports of delegation.....	467, 550
TUTTLE, B. F. Appointed Insurance Commissioner.....	556
Confirmed.....	556

U

UNITED STATES SENATOR. Election of.....	49, 56, 58
---	------------

V

VENTURA COUNTY. Bills concerning.....	31, 136, 220
Report of delegation.....	451

W

WHITNEY, A. P. Appeared and qualified.....	2
Appointed on committee.....	34
Bills introduced.....	109, 244, 400
Granted leave of absence.....	354, 374, 483
Petition.....	140
Reports.....	40, 47, 49, 115, 302, 437, 438, 439, 450, 498, 511, 529, 540, 559
Resolutions.....	47, 49
WILLIAMS, HENRY F. An Act for the relief of.....	62

Y

YOLLAND, THOMAS. Appointed Trustee of Asylum for Deaf, Dumb, and Blind.....	116
Confirmed.....	117
YOLO COUNTY. Bills concerning.....	92, 234, 241, 245, 357, 457
Reports of delegation.....	130, 275, 354
YUBA COUNTY. Bill concerning.....	400
Reports of delegation.....	301, 432, 534

INDEX TO SENATE BILLS.

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
1	An Act to establish and maintain free public libraries and reading-rooms. Rogers	10	245	384
2	An Act to limit and fix the rates of fare on street railroads in cities and towns of more than one hundred thousand inhabitants. McCoppin	11	42	62
3	An Act to preserve the name of a street in the City of San Francisco. McCoppin	11	51	71
4	An Act to regulate fares and sale of tickets on street railroads in the City and County of San Francisco. Howe	11	..	..
5	An Act to provide for a Convention to frame a new Constitution for the State of California. Pierson	11	..	..
6	An Act to amend Section 307 of the Civil Code, in relation to corporations. Pierson	11	123	166
7	An Act to amend Section 3617 of the Political Code, defining certain terms. Porter	11	..	..
8	An Act for the relief of Otto Kloppenburg. Craig	11	358	480
9	An Act to amend Section 792 of the Political Code, relating to Notaries Public. Murphy, B. D.	11	..	..
10	An Act to amend certain sections, and to repeal certain sections, of the Political Code of the State of California, approved March 12th, 1872, concerning salaries of the civil executive officers of the State. Haymond	11	..	..
11	An Act to amend an Act in relation to the government of the County of Sacramento, approved March 30th, 1874. Haymond	11	94	338
12	An Act to amend Section 4109 of the Political Code. Haymond	11	..	..
13	An Act to provide a system of irrigation. Haymond	11	..	..
14	An Act to regulate the salaries and fix the compensation of certain county officers in the County of Nevada. Searls	11	382	454
15	An Act to amend Sections 245, 246, 248, and 249 of the Political Code. Lewis	16	..	..
16	An Act to amend Section 596 of the Civil Code. Searls	16	65	91
17	An Act to ascertain and express the will of the people of the State of California upon the subject of Chinese immigration. Rogers	16	33	53

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
18	An Act to repeal Sections 632, 633, and 634 of the Code of Civil Procedure. Pierson	16		
19	An Act to amend Section 3617 of the Political Code. Haymond	16	64	
20	An Act to amend Section 574 of the Civil Code. Haymond	16		
21	An Act to authorize the Board of Supervisors of Sacramento County to acquire certain toll bridges, or to construct free bridges thereof. Haymond	17		
22	An Act to add a new section to the Political Code. Nunan	18		
23	An Act to create and establish a Board of Public Works for the City and County of San Francisco, and to abolish the offices of City and County Surveyor and Superintendent of Public Streets, Highways, and Squares. Nunan	18		
24	An Act giving control of the bridge across the Estuary of San Antonio, in the County of Alameda, to the Supervisors of said county. Porter	18	18	35
25	An Act to add three sections to the Civil Code, to be known as Sections 404, 405, and 406, and to repeal an Act in relation to foreign corporations, approved April 1st, 1872. Haymond	18		
26	An Act to amend Section 299 of the Civil Code. Haymond	18	103	385
27	An Act in relation to the State burying ground. Haymond	18		
28	An Act to amend Sections 1229 and 1230 of the Political Code. Lewis.	26		
29	An Act to repeal Section 687 of the Penal Code. Goodwin	26		
30	An Act to amend Section 389 of the Code of Civil Procedure. Porter.	26		
31	An Act to amend Section 1576 of the Political Code. McGarvey	26	214	420
32	An Act to amend Section 663 of the Code of Civil Procedure. McGarvey	27	87	254
33	An Act to repeal an Act entitled an Act to fix the salary of the County Recorder of the County of Placer, approved March 27th, 1874. Norton	27	286	338
34	An Act to amend an Act entitled an Act to amend an Act entitled an Act prescribing the manner of apportioning school moneys in Siskiyou, Modoc, and Sonoma Counties, approved March 30th, 1874, approved February 9th, 1876. Ream	27		
35	An Act to confirm certain letters patent of the State of California to W. F. Montgomery. Fowler	27	195	378
36	An Act for the relief of John Timmins. Haymond	27		
37	An Act to amend Sections 90, 91, and 92 of the Civil Code, in relation to divorces. Pierson	27		
38	An Act to amend an Act entitled an Act for the appointment of Inspector of Stationary Steam Boilers and Steam Tanks, and for the better security of life and property in the City and County of San Francisco, approved March, 1876. Craig	27		
39	An Act to repeal an Act entitled "An Act to create a Board of Public Works in and for the City of Los Angeles." Smith	31	88	143

Number-----	TITLE.	Introduced-----	Passed Senate.	Passed Assembly-----
40	An Act to ratify certain acts and proceedings of the Council of the City of Los Angeles. Smith -----	31	88	143
41	An Act to amend and also to repeal certain sections of the Political Code, relating to elections. Dean -----	31		
42	An Act to amend Section 113 of the Code of Civil Procedure, so as to change the time for the election of Justices of the Peace. Coleman -----	31	110	254
43	An Act to provide for the construction of the "Casitas Pass" road in the County of Ventura. Murphy, P. W. -----	31	36	65
44	An Act to fix the bonds of the county officers of Ventura County. Murphy, P. W. -----	31	287	385
45	An Act to amend an Act entitled an Act authorizing the Trustees of the San Buenaventura School District, of the County of Santa Barbara, in this State, to issue bonds for said district, for the sum of \$10,000, approved March 16th, 1872. Murphy, P. W. -----	31	51	143
46	An Act to prevent the adulteration of milk, and to establish the office of Milk Inspector, in and for the City and County of San Francisco. Craig -----	31	371	
47	A bill to enact Section 3575 of the Political Code of the State of California. Smith -----	31		
48	An Act to provide for the recovery of double taxation on the outside lands of the City and County of San Francisco. Donovan -----	31	51	480
49	An Act entitled an Act to amend Section 1624 of the Civil Code. Donovan -----	31	110	254
50	An Act to amend Section 14, and to reenact Sections 15, 16, and 17, of the Civil Code, relating to definitions. Haymond -----	31	155	
51	An Act to foster home industries in the publication of text-books, and to maintain the good faith of the State by reestablishing the contract heretofore entered into by and between A. L. Bancroft & Co. and the State Board of Education of the State of California. Lewis -----	35	234	
52	An Act supplemental to an Act entitled an Act to open and establish a public street in the City and County of San Francisco, to be called Montgomery Avenue, and to take private lands therefor. Murphy, J. C. -----	35		
53	An Act to repeal Section 60 of the Civil Code. Craig -----	35		
54	An Act to extend the Golden Gate Park to Market Street, in the City and County of San Francisco. McCoppin -----	35		
55	An Act to regulate the assessment of migratory herds of live stock, and provide for the equitable distribution of the taxes derived therefrom. Montgomery -----	35		
56	An Act to provide homes for homeless children, and for such as whose parents or natural guardians are incapable of taking care of them. Nunan -----	36	344	
57	An Act to reimburse the County of Placer for moneys expended in the collection of State taxes. Norton -----	36	155	338
58	An Act to amend an Act entitled an Act to regulate fees of office, and			

Number-----	TITLE.	Introduced -	Passed Senate.	Passed Assembly.
	to fix the compensation of certain officers, in the County of Contra Costa, approved March 2d, 1876. Shirley -----	37	248	348
59	An Act relative to street repairs in the City and County of San Francisco. Murphy, J. C.-----	37	51	65
60	An Act to provide for the payment of certain coupons upon bonds issued by the Central Pacific Railroad Company, and known as State aid bonds. McCoppin-----	40	213	385
61	An Act to amend an Act entitled an Act to incorporate the Town of Alameda, approved March 7th, 1872, and an Act to amend said Act, approved March 18th, 1874, and an Act supplemental to and amendatory of both said Acts, approved March 20th, 1876. Porter.	40	145	206
62	An Act supplemental to an Act entitled an Act to provide for and maintenance of the indigent sick of Siskiyou County, approved April 22d, 1861. Ream-----	40	65	85
63	An Act to supply the Town of Fresno with fresh water. Fowler ----	43		
64	An Act to amend Section 666 of the Political Code. Pierson-----	43		
65	An Act making appropriations for deficiencies in the appropriation for the payment of salaries of District Judges, for the twenty-eighth fiscal year. Pierson-----	43	77	
66	An Act to amend Sections 275 and 279 of the Code of Civil Procedure, relating to attorneys and counselors at law. Murphy, B. D.-----	44	123	543
67	An Act to add another section to the Civil Code, in relation to marriage. Haymond-----	44	139	181
68	An Act to amend an Act in relation to the care of orphan and abandoned children, approved March 7th, 1874. Haymond-----	44	88	187
69	An Act to pay the claim of C. H. Krebs. Haymond -----	44	80	143
70	An Act to remit certain delinquent taxes against the Lick estate. Searls (by request)-----	44	322	454
71	An Act to ratify and confirm an ordinance of the City of Oakland, entitled "An ordinance abandoning certain streets in East Oakland," approved May 20th, 1876. Porter-----	50	87	143
72	An Act to amend Section 1560, and to repeal Section 1561, of the Political Code, relating to County Institutes. McGarvey-----	50		
73	An Act to amend certain sections of the Political Code, and to repeal other sections of same Code, relating to public schools. McGarvey.	50	216	
74	An Act to amend Section 611 of the Political Code, relative to insurance. Haymond-----	51	136	
75	An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board. McCoppin -----	55	56	65
76	An Act to amend certain sections, and to repeal certain sections of the Political Code, concerning the salaries of the civil executive officers of the State. Angney -----	55		
77	An Act to amend an Act entitled an Act to establish a Political Code,			

Number.	TITLE.	Introduced	Passed Senate	Passed Assembly
	relative to pay of the members of the Legislature, and the officers of the two Houses. Angney-----	55		
78	An Act to amend certain sections of the Act to establish a Political Code, concerning the salaries of judicial officers, and of officers connected with the Supreme Court. Angney-----	55		
79	An Act to provide a new Great Register for the County of Amador, and re-register the voters thereof. Brown, F. M.-----	56		
80	An Act to amend Sections 265 and 266 of the Code of Civil Procedure, in regard to the Janitor of the Supreme Court. McCoppin-----	56	89	
81	An Act for the relief of Henry F. Williams, and to provide for the payment of certain money equitably due said Williams. Howe--	62	322	421
82	An Act concerning the water front of the City and County of San Francisco. Howe-----	62	213	338
83	An Act to define the rights of foreigners in the State of California. Nunan-----	62		
84	An Act to repeal an Act entitled an Act to regulate the practice of medicine in the State of California. Nunan-----	62		
85	An Act to amend Section 76 of the Code of Civil Procedure. Donovan-----	62		
86	An Act to declare Clear Lake, in Lake County, navigable. Donovan-----	62	235	338
87	An Act to amend Section 969 of the Code of Civil Procedure. Donovan-----	62	102	293
88	An Act to authorize the City of Oakland to deposit public moneys in any bank therein. Beazell-----	62		
89	An Act to amend Section 9 of an Act entitled an Act to separate the office of County Recorder from the office of County Clerk, and to regulate the salaries of certain officers of the County of Merced, approved March 26th, 1874. Montgomery-----	63	224	284
90	An Act supplementary to an Act entitled an Act to provide for the completion, in the City and County of San Francisco, known as the New City Hall, approved March 24th, 1876. McCoppin-----	69	151	208
91	An Act to authorize the Board of Supervisors of Solano County to erect a fireproof building for the protection of the records and papers in the offices of the County Clerk and County Recorder of said county. Hilborn-----	69	151	253
92	An Act for the relief of Cook Talcott and Andrew Onderdonk. Howe-----	69	103	284
93	An Act to authorize the Board of State Harbor Commissioners to pay the claim of Sheldon and Graves. Howe-----	70	103	187
94	An Act additional to the Code of Civil Procedure, relating to relief to be afforded to third parties, whose property has been wrongfully levied upon. Pierson-----	70		
95	An Act to add a new section to the Code of Civil Procedure. Pierson-----	72	103	
96	An Act to authorize the widening Dupont Street, between Bush Street and Montgomery Avenue, in the City and County of San Francisco. Pierson-----	72		
97	An Act to create a new Court in the City and County of San Fran-			

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
	cisco, to be designated as the Municipal Court of Appeals of the City and County of San Francisco. Pierson	72	286	454
98	An Act to authorize certain corporations to perform the duties of executors, administrators, and guardians, and to execute trust in certain cases. Pierson	72		
99	An Act to repeal an Act of the Legislature of the State of California, entitled an Act to authorize the City and County of San Francisco to provide and maintain public water-works for said city and county, and to condemn and purchase private property for that purpose, approved March 27th, 1876. Pierson	72		
100	An Act to amend Section 571 of the Civil Code, and to add a new section to said Civil Code, to be numbered 580, in regard to savings and loan corporations. Pierson	72		
101	An Act to amend Section 506 of the Penal Code, in relation to embezzlement. Pierson	72		
102	An Act to add another section to the Civil Code, in relation to pledge of stock in corporations, to be numbered 3112. Pierson	72		
103	An Act to authorize the grading and improvement of Lobos Square, in the City and County of San Francisco. Rogers	72	119	166
104	An Act to authorize the Superintendent of Public Streets, Highways, and Squares, in and for the City and County of San Francisco, to have the streets and sewers in said city and county cleaned. Rogers	72	119	187
105	An Act to confer additional powers upon the Board of Health of the City and County of San Francisco, and to provide for the better sanitary condition of the City and County of San Francisco. Murphy, J. C.	73		
106	An Act to repeal an Act entitled an Act restricting the herding of sheep to certain pastures in the Counties of Sonoma and Marin, and all Acts amendatory thereof, so far as they relate to the Counties of Mendocino and Humboldt. McGarvey	73	89	187
107	An Act to prohibit policemen from electioneering. Porter	73		
108	An Act to amend Section 40 of the Civil Code. McGarvey	73	103	434
109	An Act to amend the Civil Code concerning the mortgaging of growing crops. Murphy, B. D.	73	287	542
110	An Act authorizing the adjudication of certain claims against the State. Montgomery	73		
111	An Act to add a new section to the Code of Civil Procedure, to be numbered 960. Pierson	75		
112	An Act to amend Section 1166 of the Code of Civil Procedure, in relation to forcible or unlawful detainer. Pierson	75	129	293
113	An Act to amend Section 3 of an Act entitled an Act repealing Article IV of an Act entitled an Act to repeal the several charters of the City of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved the 19th day of April, 1856, and all Acts and parts of Acts amendatory thereof and supplementary thereto, and substituting this Act for said Article IV, approved April 1st, 1872. Pierson	75	105	

Number.	TITLE.	Introduced	Passed Senate.	Passed Assembly.
114	An Act to amend Section 1746 of the Political Code. Howe	75	183	434
115	An Act to confer additional powers on the Board of Supervisors of the City and County of San Francisco, to provide for the opening of Serpentine Avenue, and the condemnation of private property therefor. Howe	75	249	253
116	An Act to define the powers of the Board of Supervisors of the City and County of San Francisco, with reference to contracts. Dean	75	124	253
117	An Act to appropriate one hundred and seventy-five thousand dollars for the construction of buildings for the California Institution for the Instruction of the Deaf, Dumb, and the Blind. Porter	76	460	516
118	An Act to amend Section 895 of the Code of Civil Procedure. Hilborn	76	105	293
119	An Act to change the name of Edward Herbert McDaniel to Edward Hampton Herbert. Smith (by request)	76		
120	An Act to amend Section 532 of the Penal Code of the State of California. Evans	76		
121	An Act to amend an Act entitled an Act to amend an Act entitled an Act to re-incorporate the City of Stockton, approved March 27th, 1872, approved February 28th, 1874. Evans (by request)	76		
122	An Act entitled an Act to protect life and property in this State. Craig	76		
123	An Act to amend Section 1365 of the Code of Civil Procedure. Craig	76		
124	An Act for the relief of Edward Hunt. Brown, W. H.	77		
125	An Act for the better government of the public schools of San Francisco. Donovan	77		
126	An Act to authorize the Mayor, City and County Surveyor, and Superintendent of Public Streets, Highways, and Squares, in and for the City and County of San Francisco, to give employment to laboring men. Rogers	78		
127	An Act to amend Section 276 of the Code of Civil Procedure. Judiciary Committee	79	89	
128	An Act to authorize the District Attorney of the City and County of San Francisco to appoint a second Assistant District Attorney. Pierson	80	99	166
129	An Act to add a new section to the Political Code, to be known as Section 1941. Craig	80	249	
130	An Act to extend the time in which John Blair, Thomas Alderson, Truman Wilcox, L. A. Garnett, Thomas Price, and F. A. Bishop, their associates and assigns, shall complete the construction of a raceway through the City of Placerville. Brown, W. H.	80	129	187
131	An Act to amend Sections 1053 and 1055 of the Political Code. Pierson	86	86	91
132	An Act to amend Sections 2910 and 2914 of the Political Code. Smith	85		
133	An Act to add a new section to the Political Code, to be numbered 3491. Smith	85		

Number	TITLE.	Introduced.	Passed Senate.	Passed Assembly.
134	An Act for the protection of the Harbor of Wilmington. Smith-----	85	171	-----
135	An Act to add two new sections to the Civil Code, to be numbered Sections 231 and 232. Goodwin-----	85	322	545
136	An Act to provide for the issuance of bonds, in the County of Tulare, for the payment of the indebtedness of the said county. Fowler.	86	279	306
137	An Act to regulate fees of Justices of the Peace in criminal cases, in the County of Tulare. Fowler-----	86	-----	-----
138	An Act to amend Section 3061 of the Political Code, relative to local Boards of Health. Ream-----	86	124	385
139	An Act entitled an Act to amend an Act concerning agricultural societies, approved March 12th, 1859. Evans-----	86	151	187
140	An Act to repeal an Act for the appointment of Inspectors of Stationary Steam Boilers and Steam Tanks, and for the better security of life and property in the City and County of San Francisco. Howe.	86	387	-----
141	An Act to amend Section 2552 of an Act to amend an Act entitled an Act to establish a Political Code, approved March 12th, 1872, and to add a certain new section thereto, approved February 28th, 1876. Murphy, J. C.-----	86	235	385
142	An Act to amend Sections 396 and 399 of the Code of Civil Procedure. McGarvey-----	86	248	-----
143	An Act for the relief of Mrs. T. M. Logan. Haymond-----	86	-----	-----
144	An Act for the relief of Wells, Fargo & Co. Haymond-----	86	214	384
145	An Act to pay the claim of the County of Sacramento. Haymond..	86	139	187
146	An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Mayor, Auditor, and Treasurer thereof, and to authorize certain appropriations of money by said Board. McCoppin-----	86	119	150
147	An Act to amend Section 997 of the Code of Civil Procedure. Hilborn-----	89	-----	-----
148	An Act to amend Section 3337 of the Political Code. Hilborn-----	89	328	572
149	An Act to authorize the Board of Supervisors of the City and County of San Francisco to make provisions for any deficiency in the Street Department Fund, of the fiscal year 1877 and 1878. Nunan.	89	-----	-----
150	An Act to authorize certain appropriations of money by the Board of Supervisors of the City and County of San Francisco. Nunan----	89	110	150
151	An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof. Pierson-----	91	155	261
152	An Act for the relief of purchasers of State lands, and to cure defects in applications to purchase, and to confirm titles thereto. Murphy, P. W.-----	91	-----	-----
153	An Act to amend Section 616 of the Political Code, relating to insurance. Searls-----	92	379	500
154	An Act to amend certain sections of the Civil Code, and to add certain new sections to said Code, all relating to insurance. Searls....	92	379	500

Number-----	TITLE.	Introduced	Passed Senate.	Passed Assembly-----
155	An Act to amend Sections 450 and 451 of the Civil Code, and to add two new sections to said Code, as also to repeal certain Acts, all relating to insurance. Searls-----	92	379	500
156	An Act to amend certain sections of the Political Code, relating to insurance. Searls-----	92	379	500
157	An Act to amend Section 702 of the Code of Civil Procedure, in relation to the redemption of property sold on execution. Nunan-----	92		
158	An Act to amend Section 1750 of the Political Code, concerning diplomas and State certificates. Murphy, B. D.-----	92		
159	An Act to amend Section 6 of an Act entitled an Act to re-incorporate the Town of Woodland, approved March 24th, 1874. Lambert-----	92	137	188
160	An Act to amend Section 1386 of the Penal Code. Norton-----	92		
161	An Act regulating the powers of the Board of Supervisors in the several counties of this State, except the City and County of San Francisco. Norton-----	92	151	261
162	An Act concerning licenses in the County of San Benito. Flint-----	91	272	338
163	An Act concerning roads and highways in the County of San Benito. Flint-----	92	155	348
164	An Act in relation to warehouse and wharfinger receipts, and other matters pertaining thereto. Howe-----	92	323	554
165	An Act to furnish text-books to the pupils of the common schools of the City and County of San Francisco. Donovan-----	92		
166	An Act to provide for a proper display of the industries and resources of California at the French Exposition of 1878, and report upon the same. Hill-----	93		
167	An Act to pay the claim of E. G. Jefferis. Haymond-----	93		
168	An Act to declare Sonoma River navigable. Howe-----	97	97	169
169	An Act concerning the special election to be held in the Fourteenth Senatorial District on the 22d day of January, 1878. Pierson-----	97	97	104
170	An Act to amend Section 883 of the Code of Civil Procedure. Hilborn-----	99	222	
171	An Act to add a new section to the Civil Code, to be known as Section 553. Hilborn-----	99		
172	An Act for the relief of Richard H. Stretch. Nunan (by request)---	99	129	
173	An Act for the relief of Joseph G. Eastland, Charles E. McLane, and P. H. Canavan, late City Hall Commissioners of San Francisco. McCoppin-----	99	151	208
174	An Act to provide means for the purchase of furniture, etc., for Hall of Records, and east wing of the New City Hall building. McCoppin-----	100	151	306
175	An Act to ratify and validate a certain contract of the City and County of San Francisco. McCoppin-----	100	151	208

Number	TITLE	Introduced	Passed Senate	Passed Assembly
196	An Act to amend Section 1330 of the Penal Code, in relation to witnesses. Haymond	111		
197	An Act to amend Section 1712 of the Political Code. Brown, W. H.	111	215	
198	An Act to reorganize and simplify the school system and public education of the State of California. Curtis	119		
199	An Act to amend the Penal Code by adding a new section, to be known as Section 420. Judiciary Committee	122	122	134
200	An Act to enable the Board of Supervisors of the City and County of San Francisco to increase the police force of said city and county, and to provide for the appointment, regulation, and payment thereof. McCoppin	122	175	454
201	An Act to fix the compensation of the Under Sheriff, Deputy Sheriff, and County Jailers of Alameda County. Beazell	123	265	543
202	An Act for the relief of Edward C. Kerby and John Burke. Boyston	123	270	348
203	An Act to provide for the extension of Tehama Street. Boyston	123	203	454
204	An Act to pay the claim of Mary M. Springer, widow and heir of Thomas A. Springer, late State Printer, deceased. Gwin	123	262	
205	An Act granting relief to taxpayers whose lands have been sold to the State. Shirley	123	322	554
206	An Act to provide for furnishing cities and counties, or cities or towns, and the inhabitants thereof, with pure fresh water, and to enable cities and counties, or cities or towns, to acquire and maintain public water-works. Murphy, B. D.	123		
207	An Act for the relief of John A. Odell. Haymond	123	303	385
208	An Act to add a new section to the Penal Code, to be known as Section 258. Judiciary Committee	123		
209	An Act to provide for the maintenance and construction of roads and highways in the County of Mariposa. Montgomery	123	235	338
210	An Act concerning certain street contracts in San Francisco. Murphy, J. C. (by request)	128	334	521
211	An Act for the relief of the Oakland Guard, of Oakland City. Beazell	128	359	
212	An Act to amend Section 2536 of the Political Code, concerning the construction of the sea-wall of San Francisco. Howe	128	211	385
213	An Act to amend Section 182 of the Penal Code of the State of California. McCoppin	128		
214	An Act in relation to the House of Correction of the City and County of San Francisco. McCoppin	128	527	543
215	An Act supplementary to an Act entitled an Act to provide for the construction of a railroad from the Bay of San Luis Obispo, in the County of San Luis Obispo, to Santa Maria, in the County of Santa Barbara. Murphy, P. W.	128	135	284
216	An Act to amend Section 376 of the Penal Code. Pierson	133	155	293

Number-----	TITLE.	Introduced	Passed Senate	Passed Assembly
217	An Act to amend the Political Code, respecting the health and quarantine regulations of the City and County of San Francisco. Pierson-----	133	286	348
218	An Act to amend Section 1590 of the Penal Code. Goodwin-----	133	133	338
219	An Act to provide a new Great Register for the County of Yolo, and re-register the voters thereof. Lambert-----	133	377	454
220	An Act to repeal an Act entitled an Act to prevent hogs from running at large in the Towns of Red Bluff and Tehama, in Tehama County. Lewis-----	135	135	167
221	An Act for the protection of children, and to prevent and punish certain wrongs to children. Pierson-----	135	487	531
222	An Act relating to children. Pierson-----	135	487	531
223	An Act to extend the time for collecting delinquent State and county taxes in the Counties of San Luis Obispo, Santa Barbara, and Ventura. Murphy, P. W.-----	136	-----	-----
224	An Act to amend Section 3382 of the Political Code, by removing taxation from the manufactured products of wheat. Dean-----	136	151	-----
225	An Act to amend certain sections of the Political Code. Montgomery-----	136	468	531
226	An Act to authorize the Board of Supervisors of the City and County of San Francisco to make provision for deficiency in the Street Department Fund, of the fiscal year 1877-78. Murphy, J. C.-----	136	136	181
227	An Act concerning cost in State tax cases. Curtis-----	136	-----	-----
228	An Act to provide for the appointment of a Bureau of Labor Statistics. Donovan-----	138	-----	-----
229	An Act to establish the grade of Seventh Street, between Bryant and Brannan Streets, in the City and County of San Francisco. Donovan-----	138	169	261
230	An Act to amend Sections 290 and 297 of the Penal Code, and to add another section thereto, to be known as Section 298. Donovan--	138	-----	-----
231	An Act to confer further powers on the Common Council of the City of Santa Barbara. Murphy, P. W.-----	139	471	521
232	An Act regulating the forming and impaneling of trial jurors for the Courts of record in Tulare County. Fowler-----	142	-----	-----
233	An Act to amend an Act entitled an Act to create the Twenty-first Judicial District, approved February 15th, 1876, by changing the date of holding terms of Court in said district. Crane-----	142	183	338
234	An Act relating to advances bona fide made to agents intrusted with goods, and for the better protection of such advances. McCoppin--	142	333	544
235	An Act to confer additional powers on the Board of Supervisors of Contra Costa County. Shirley-----	142	-----	-----
236	An Act entitled an Act to add another section to the Penal Code, to be known as Section 655. Brown, W. H.-----	142	248	-----
237	An Act to create a Board of Fire and Police Commissioners of the City of Oakland. Beazell-----	146	149	306

Number	TITLE	Introduced	Passed Senate	Passed Assembly
238	An Act to amend an Act entitled an Act to incorporate the City of Nevada, and all Acts supplementary thereto. Searls	146	224	284
239	An Act to consolidate certain funds, and to create therefrom a permanent endowment for the University of California, of which the interest only shall be used by the Board of Regents to meet current expenses. Searls	146	223	385
240	An Act to repeal an Act entitled an Act to amend the Penal Code, approved January 19th, 1878. Rogers	146		
241	An Act to amend Section 411 of the Code of Civil Procedure. Gwin	146		
242	An Act to amend Section 379 of the Code of Civil Procedure. Gwin	146		
243	An Act to amend Section 690 of the Code of Civil Procedure. Murphy, B. D.	146		
244	An Act to provide for the payment by the State of California of the costs of certain criminal actions. Haymond	147	259	
245	An Act to provide for a system of irrigation for the Counties of Fresno and Tulare. Fowler	147		
246	An Act to amend the Political Code of the State of California. Fowler	147		
247	An Act to confer additional powers upon the City Assessor of the City of Stockton. Evans	150	150	166
248	An Act for the increase and preservation of forest areas of the State. Howe	150	302	
249	An Act to amend an Act entitled an Act to establish a Political Code, approved March 12th, 1872, and concerning swamp and overflowed, salt marsh, and tide lands. Boyston	150		
250	An Act to amend Section 690 of the Code of Civil Procedure. Gwin	150		
251	An Act to amend Section 2955 of the Civil Code. Gwin	150		
252	An Act to provide for the payment of the expenses of the Seventh Street Commission, in and for the City and County of San Francisco. San Francisco Delegation	150	150	284
253	An Act making an appropriation for the California State Woman's Hospital. Brown, F. M.	150		
254	An Act to ratify and confirm Ordinance No. 64, passed by the City Council of the City of Stockton, and approved by the Acting Mayor of said city on the 8th day of December, 1877. Evans	154	169	284
255	An Act to amend an Act entitled an Act to re-incorporate the City of Stockton, approved March 27th, A. D. 1872. Evans	154	214	338
256	An Act conferring further powers upon the Board of Supervisors of the City and County of San Francisco. Howe	154	270	480
257	An Act for the better protection of stockholders in incorporated companies. Pierson	154	302	572
258	An Act to add another Section to the Civil Code, to be numbered 1020. Montgomery	154		

Number	TITLE	Introduced	Passed Senate	Passed Assembly
259	An Act to provide for the erection of bronze statues for the State Capitol. Hilborn -----	154		
260	An Act to amend certain sections, numbers 1350, 1365, 1368, 1369, and 1379, of the Code of Civil Procedure. Smith -----	154	258	545
261	An Act making an appropriation to pay the expenses of Presidential Electors. Hilborn -----	158	158	187
262	An Act to authorize the Board of Supervisors of the City and County of San Francisco to audit and pay a certain claim. Pierson -----	158	279	480
263	An Act to provide for the appointment of a Reporter of the decisions of the Supreme Court. Lambert -----	158	214	434
264	An Act to authorize the Trustees of the Snelling School District, of Merced County, to pay the debt of said district. Montgomery ---	158	324	420
265	An Act to amend Sections 1 and 3 of an Act entitled an Act to authorize the Assessor of the City and County of San Francisco to appoint deputies, approved January 25th, 1870. McCarthy -----	160	177	284
266	An Act to amend Section 1270 of the Civil Code, in relation to wills. Haymond -----	161		
267	An Act to regulate and limit the payment of money out of the treasury of the City and County of San Francisco. McCoppin -----	161	177	253
268	An Act to amend Section 2 of an Act entitled an Act to create a City Criminal Court in and for the City and County of San Francisco, approved April 3d, 1876. Craig -----	161	214	
269	An Act to ratify and confirm Order No. 1404 of the Board of Supervisors of the City and County of San Francisco. Howe -----	165	235	421
270	An Act to authorize certain payments by the Board of State Harbor Commissioners. Howe -----	165	262	554
271	An Act conferring additional powers upon the Board of Supervisors, and the Auditor and Treasurer of the City and County of San Francisco. Dean (by request) -----	165	361	421
272	An Act to add a new section to the Political Code. McCoppin -----	165		
273	An Act to legalize the assessment of taxes in the City and County of San Francisco, and to validate a resolution of the Board of Supervisors of said City and County of San Francisco. Pierson -----	165	215	385
274	An Act to amend Section 1160 of the Civil Code. Murphy, P. W. ---	165	223	545
275	An Act to ratify the contract between the Stockton Gas Company and the City of Stockton, to supply gas to said city and its inhabitants, approved by the Acting Mayor of said city on the 18th day of December, A. D. 1877. Evans -----	165	235	315
276	An Act to protect canals, ditches, flumes, and canals. Fowler (by request) -----	165	248	544
277	An Act to amend Sections 3857 and 3858 of the Political Code. Boyston -----	170	223	572
278	An Act to amend Section 900 of the Penal Code, relating to challenges to individual grand jurors. Lewis -----	170	217	
279	An Act to amend Section 357 of the Penal Code. Lewis -----	170	264	

Number.	TITLE.	Introduced	Passed Senate.	Passed Assembly.
280	An Act to confer additional powers upon, and to authorize certain appropriations of money by, the Board of Supervisors of the City and County of San Francisco. Nunan-----	170	215	480
281	An Act to add a new section to the Penal Code, in relation to the adulteration of candies. Pierson-----	170	223	384
282	An Act to amend Section 2084 of the Code of Civil Procedure, in relation to proceedings to perpetuate testimony. Pierson-----	170	223	571
283	An Act to amend Section 3846 of the Political Code of the State of California. Haymond-----	170		
284	An Act to amend Section 2274 of the Civil Code. Haymond-----	170	264	
285	An Act to amend Section 1770 of the Political Code, relative to County Boards of Examination. Ream-----	170	246	385
286	An Act granting certain privileges to the North Beach and Mission Railroad Company. McCoppin-----	170	215	384
287	An Act for the relief of Charles Dukes, J. D. Billingsley, D. Mallock, William Kingaid, Stacy Taylor, A. M. Abbey, and M. S. Merrill, all of the County of Tulare. Fowler-----	170	170	261
288	An Act to amend an Act entitled an Act to provide for the location, construction, and maintenance of public roads in the County of Nevada, approved March 21st, 1872. Coleman-----	177	224	284
289	An Act to add two new sections to the Code of Civil Procedure of this State. Rogers-----	177		
290	An Act to amend Section 3443 of the Political Code. McGarvey-----	177	264	
291	An Act to amend an Act entitled an Act to amend an Act entitled an Act to incorporate the Town of Watsonville, Santa Cruz County, California, approved March 30th, 1868. Flint-----	177	328	420
292	An Act to amend Section 325 of the Code of Civil Procedure. Murphy, B. D.-----	177	502	545
293	An Act to amend Chapter II, Article VI, of Title XIV, of the Civil Code, by adding thereto an additional section, relating to mortgages on growing crops. Haymond-----	181	287	
294	An Act to repeal a certain section of the Civil Code, relating to insurance. Pierson-----	182		
295	An Act to amend a certain section of the Political Code, relating to insurance. Pierson-----	182	379	500
296	An Act to provide for the payment of certain persons for services performed as members of the State Board of Examiners. Curtis-----	182		
297	An Act to amend Section 3 and Section 5 of an Act to authorize the City and County of San Francisco to provide and maintain public water-works for said city and county, and to condemn and purchase private property for that purpose, approved March 27th, 1876. Rogers-----	182	362	
298	An Act to amend Section 562 of the Political Code of the State of California, and add thereto two new sections, to be numbered 568 and 569. Craig-----	182		
299	An Act to amend Section 791 of the Political Code. Pierson-----	190	262	410

Number.....	TITLE.	Introduced	Passed Senate	Passed Assembly
300	An Act to add a new section to the Penal Code, to be known as Section 1615. Goodwin.....	190	468	.....
301	An Act to adopt a spelling book for use in the public schools of this State. Howe.....	190	.....	.....
302	An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco. McCoppin.....	190	.....	.....
303	An Act to add a section to Title XII, of Part IV, of the First Division, of the Civil Code. McCoppin.....	190	322	542
304	An Act legalizing the State and county tax and assessments in the County of Nevada, in 1877 and 1878. Searls.....	190	248	315
305	An Act to authorize certain appropriations of money by the Board of Supervisors of the City and County of San Francisco. McCarthy..	190	335	421
306	An Act to amend Section 487 of the Penal Code, in relation to the crime of grand larceny. Ream.....	190	264	.....
307	An Act to establish a scale for the measurement of logs. Brown, W. H..	190	373	480
308	An Act to amend Section 340 of the Penal Code. Craig.....	190	.....	.....
309	An Act to add a new section to the Political Code. McCoppin.....	190	298	.....
310	An Act to increase the appropriation for the support of the Hospital and Alms-house of the City and County of San Francisco. Nunan..	195	258	384
311	An Act to authorize the payment of wages due workmen for labor in the construction of the Branch Prison at Folsom, and for which labor the State has not paid. Brown, F. M.....	195	.....	.....
312	An Act to amend Sections 459 and 461, and to repeal Section 460, of the Penal Code, in relation to burglary. Lewis.....	202	.....	.....
313	An Act to amend an Act entitled an Act in relation to certain streets in the Town of Alameda, passed March 30th, 1874. Bones.....	202	377	480
314	An Act to amend the Code of Civil Procedure, in relation to attachments. Searls.....	202	248	.....
315	An Act to incorporate the Town of Etna, Siskiyou County, California. Ream.....	202	249	315
316	An Act for the relief of the California Manufacturing Company of San Francisco. Pierson (by request).....	202	.....	.....
317	An Act to confirm the title to certain property in the City and County of San Francisco. Pierson.....	202	262	434
318	An Act to amend Section 372 of the Code of Civil Procedure. McGarvey..	202	248	.....
319	An Act to provide for the building of bridges across South and Middle Eel River, in Mendocino County. McGarvey.....	202	246	.....
320	An Act to amend the Political Code by adding a new section thereto, to be known as Section 3388, in relation to licenses. Haymond..	202	.....	.....
321	An Act to amend Section 671 of the Civil Code, in relation to, and to define, bona fide residents. Haymond.....	202	.....	.....
322	An Act for the relief of purchasers of State lands. Haymond.....	202	.....	.....

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
323	An Act for the relief of Add C. Hinkson. Haymond-----	202		
324	An Act to authorize the Board of Supervisors to compromise the litigation now pending in regard to water lot number ninety-two. Nunan (by request)-----	202		
325	An Act for the relief of Major John Stratman. McCarthy-----	202		
326	An Act to extend the terms of office of the members of the Board of Education, and the Superintendent of Common Schools, of the City and County of San Francisco, hereafter to be elected. Craig-----	202		
327	An Act to amend Section 1880 of the Code of Civil Procedure, relating to witnesses. Lambert-----	209	264	
328	An Act to repeal Section 400 of the Code of Civil Procedure. Pierson-----	209		
329	An Act to add a new section to the Penal Code, to be known as Section 178, in relation to obtaining divorcees. Murphy, B. D.-----	209	264	
330	An Act amendatory to an Act entitled an Act to amend an Act entitled an Act to revise and amend an Act entitled an Act to incorporate the Town of Grass Valley, approved April 15th, 1861, approved February 6th, 1864, approved March 24th, 1866. Coleman-----	209	249	314
331	An Act to authorize the corporation of the City of Los Angeles to issue bonds for improving the water supply of said city, and provide for their payment. Smith (by request)-----	209		
332	An Act legalizing the assessment book and delinquent list in Los Angeles County. Smith (by request)-----	209	222	261
333	An Act to amend Sections 3757, 3758, 3764, 3790, 3797, of the Political Code. Smith (by request)-----	209	287	
334	An Act to appropriate twenty-five thousand dollars, to be used conjointly with a like sum of twenty-five thousand dollars donated by H. D. Bacon, for the construction of a building, to be erected on the State University grounds, in Alameda County, for a library and art gallery. Pierson-----	209	424	545
335	An Act to amend Section 177 of the Code of Civil Procedure. McGarvey-----	210	248	
336	An Act to amend Section 1709 of the Code of Civil Procedure. McGarvey-----	210	248	
337	An Act to provide for the collection of road poll tax in the County of Calaveras. Gwin-----	210		
338	An Act to establish and open Montgomery Street South, in the City and County of San Francisco, and take private lands therefor. Boyston-----	212	359	479
339	An Act to amend an Act entitled an Act to create a Board of Auditors for El Dorado County, and fix the powers thereof, approved March 13th, 1874, and the Act amendatory thereof, approved April 1st, 1876. Brown, W. H.-----	213	246	338
340	An Act to repeal Section 299 of the Civil Code. Pierson-----	220		
341	An Act to amend Section 293 of the Civil Code. Curtis-----	220	469	

Number	TITLE	Introduced	Passed Senate	Passed Assembly
342	An Act to legalize a tax for building a school house, in the New York School District, in Contra Costa County. Shirley-----	220	248	338
343	An Act to fund certain indebtedness of Solano County. Hilborn----	220	283	338
344	An Act to amend an Act entitled an Act authorizing the Trustees of San Buenaventura School District, Ventura County, to issue bonds for said district for the sum of ten thousand dollars, approved March 16th, 1872. Murphy, P. W.-----	220	246	338
345	An Act to repeal an Act to protect agriculture in the County of El Dorado, approved March 20th, 1876. Brown, W. H.-----	220	345	453
346	An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board. Nunan-----	220	279	384
347	An Act amending Section 4 of an Act entitled an Act repealing Article IV of an Act entitled an Act to repeal the several charters of the City and County of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved April 19th, 1855, and all Acts and parts of Acts amendatory thereof and supplementary thereto, and substituting this Act for said Article IV, approved April 1st, 1872. Nunan-----	220		
348	An Act to confer additional powers on the Board of Supervisors of the City and County of San Francisco. McCoppin-----	220		
349	An Act in relation to the public printing in the Town of Alameda. Bones-----	224	224	
350	An Act to provide for ascertaining and paying certain claims against the City and County of San Francisco. McCarthy-----	228		
351	An Act to authorize the City of Oakland to pay the sum of \$15,000 for the bridge heretofore constructed across the Estuary of San Antonio, between Eighth Street and East Ninth Street. Bones---	228	380	
352	An Act amendatory of and supplementary to an Act entitled an Act to authorize the County Judge of Tehama County to distribute town lots, held by him in trust for the citizens of the Town of Red Bluff, and to issue certificates of title to the inhabitants of said town, in accordance with their respective interests, approved March 6th, 1868. Lewis-----	228	366	454
353	An Act for the encouragement of agricultural and other industries. Crane-----	229	271	348
354	An Act making the Sheriff of Butte County the Collector of Licenses therein, fixing his salary therefor. Crane-----	229	244	338
355	An Act concerning road poll tax and hospital poll tax for Tehama County. Lewis-----	229		
356	An Act to amend Sections 3074, 3077, 3079, and 3081 of the Political Code, and to add a new section thereto, to be numbered Section 3083, relative to the registry of births, marriages, and deaths. Ream-----	229	278	384
357	An Act to provide for the appointing of an additional Deputy Clerk for the Justices' Court of the City and County of San Francisco. Howe-----	229	376	543

Number	TITLE	Introduced	Passed Senate	Passed Assembly
358	An Act in relation to railroads. Smith	229		
359	An Act amendatory of and supplementary to an Act entitled an Act to provide for the appointment of Commissioners of Transportation, to fix the maximum charges for freights and fares, and to prevent extortion and discrimination on railroads in this State, approved April 3d, 1876. Smith	229		
360	An Act for the prevention of unjust discrimination, and for the equalization of freights and fares on railroads in this State. Smith	229		
361	An Act to authorize the issuance of bonds for the payment of damages for the widening and extension of Los Angeles Street, in the City of Los Angeles. Smith	229	329	420
362	An Act to provide a supply of water for the State Prison. Craig	229		
363	An Act for the relief of purchasers of State lands. McGarvey	229	424	
364	An Act to provide compensation for the Township Assessor of the Township of Oakland, County of Alameda. Beazell	233	325	420
365	An Act to provide for the issuance of certain bonds by the County of Alameda, and for the payment of the same out of certain funds to be raised in the Town of Alameda. Beazell	233	301	
366	An Act to change the corporate name of the Mission Street Methodist Episcopal Church, in the City and County of San Francisco. Howe	233	233	454
367	An Act to ratify and confirm the Acts of the Mayor and Common Council of the City of San José. Murphy, B. D.	233	251	315
368	An Act to quiet title to land in the County of Yolo. Haymond	233	425	543
369	An Act for the protection of the public roads on Sherman Island. Haymond	233	383	454
370	An Act to authorize and require the Board of Supervisors of San Joaquin County to allow a claim of S. G. B. Dunbar, and to authorize and require the Auditor of said county to draw a warrant therefor, and to authorize and require the Treasurer of said county to pay the same. Brown, F. M.	234	234	253
371	An Act to repeal an Act entitled an Act to prevent changes in the text-books in use in the public schools, approved December 13th, 1875. Pierson	234		
372	An Act to disincorporate a portion of the City of Visalia, Tulare County, California. Fowler	241		
373	An Act to add a new section to the Civil Code. Hilborn	241	322	
374	An Act to pay the claim of Hiram Clock. Hilborn	241	303	385
375	An Act making an appropriation to pay the expenses of Presidential Electors. Hilborn	241	241	254
376	An Act for the relief of John F. Dillon, Assessor of Inyo County. Fowler	241	318	454
377	An Act to provide for a levee, drainage, and road district in the County of Yolo. Lambert	241	469	543
378	An Act to amend an Act entitled an Act in relation to the county offi-			

Number	TITLE	Introduced	Passed Senate	Passed Assembly
	cers of Santa Clara County, their fees and salaries, approved February 10th, 1876. Murphy, B. D.-----	241	269	338
379	An Act to amend an Act entitled an Act to re-incorporate the City of San José, approved March 17th, 1874. Murphy, B. D.-----	241	270	338
380	An Act concerning the Santa Clara Avenue and certain public lands of the City of San José, in the County of Santa Clara. Murphy, B. D.-----	242	270	338
381	An Act to exempt firemen of the Eureka Fire Company No. 1, of Visalia, Tulare County, from the payment of poll and road tax. Fowler-----	242		
382	An Act to amend an Act entitled an Act to establish and define the powers and duties of the Board of Education of the City of Petaluma, approved January 6th, A. D. 1872, and the Acts supplementary thereto and amendatory thereof. Whitney-----	244	259	338
383	An Act to prevent the destruction of fish in King's River. Fowler-----	244	358	500
384	An Act for the relief of John Q. Hendricks, Charles Carroll, and R. D. Hubbard. Ream-----	244	324	454
385	An Act to amend Sections 407 and 410 of the Code of Civil Procedure, concerning summonses in civil actions. Lambert (by request)-----	244		
386	An Act to confer further powers on the Common Council of the City of Santa Barbara. Murphy, P. W.-----	244	288	385
387	An Act to amend an Act entitled an Act in relation to the county officers of Santa Cruz County, their fees and salaries, approved March 30th, 1876. Flint-----	244	324	
388	An Act to foster home industries in the publication of text-books, and to maintain the good faith of the State, by reestablishing the contract heretofore entered into by and between A. L. Bancroft & Company and the State Board of Education of the State of California. Craig-----	244		
389	An Act to prevent the trespassing of animals upon private property in the County of Yolo. Lambert-----	245	302	421
390	An Act supplementary to and amendatory of an Act entitled an Act to incorporate the Town of Red Bluff, Tehama County, California, approved March 31st, 1876. Lewis-----	255	269	284
391	An Act to authorize Loren Coburn, his associates and assigns, to construct, maintain, and keep a wharf at Pigeon Point, County of San Mateo, California. Rogers-----	255		
392	An Act to amend an Act entitled an Act concerning streams in the County of Santa Clara, approved March 28th, 1872. Murphy, B. D.-----	255	288	348
393	An Act to authorize the Board of Supervisors of the County of Santa Clara to issue bonds in payment of certain indebtedness. Murphy, B. D.-----	255	269	338
394	An Act to provide a system for obtaining school books for California, and to amend Sections 1521, 1874, and 1875 of the Political Code, relating thereto. Shirley-----	255		
395	An Act to amend an Act entitled an Act to provide for the support of the common schools of the City and County of San Francisco, and			

Number.....	TITLE.	Introduced	Passed Senate	Passed Assembly
	to define the powers and duties of the Board of Education thereof, approved April 1st, 1872. Donovan.....	255	349	...
396	An Act to amend an Act entitled an Act to regulate practice in the Supreme Court, approved March 16th, 1872, and to add three sections to the Code of Civil Procedure, to be known as Sections 51, 52, and 53. Boyston.....	255	...	...
397	An Act to add another section to the Code of Civil Procedure, to be known as Section 417. Pierson.....	255	358	...
398	An Act to provide for the building of a school house in Anaheim School District, in the County of Los Angeles, State of California. Smith.....	255	319	384
399	An Act to appropriate money to assist in the purchase of land, and the construction of buildings thereon, in the County of Los Angeles, to be used as a County Hospital and Farm. Smith.....	255	...	...
400	An Act to authorize the Board of Examiners to purchase certain portraits of Pebbles and Baldwin. Fowler.....	256	...	...
401	An Act entitled an Act to legalize the assessment and levy of taxes in the County of Santa Cruz. Flint.....	261	286	293
402	An Act to amend an Act entitled an Act regulating the sale of mineral lands belonging to the State, approved March 28th, 1874. Haymond.....	262	324	...
403	An Act to confer further powers on the Board of Directors of the California Institution for the Deaf, the Dumb, and the Blind. Donovan (for Building Committee).....	262	286	366
404	An Act to amend an Act entitled an Act fixing the salaries and the compensation of certain officers of San Luis Obispo County, approved March 31st, 1876. Murphy, P. W.....	262	266	306
405	An Act to amend an Act entitled an Act to incorporate the Town of Alameda, approved February 21st, 1878. Beazell.....	267	282	455
406	An Act for the relief of Henry Maletton. Beazell.....	268	...	...
407	An Act to amend the Code of Civil Procedure. Pierson.....	268	323	...
408	An Act to amend the Penal Code, in relation to fugitives from justice. Pierson.....	268	323	...
409	An Act conferring additional powers upon the Board of Supervisors of Alameda County, and ratifying and confirming a resolution of said Board granting certain rights and privileges to the Berkeley Horse Railroad Company. Bones.....	268	268	280
410	An Act to provide for the construction and maintenance of municipal gas works in the City and County of San Francisco. Dean.....	268	...	...
411	An Act to authorize the Trustees of the I. O. O. F. of the City of San Francisco to lease the lot of land, in the City of San Francisco, held by said Trustees for the I. O. O. F. of said city. Howe.....	268	268	384
412	An Act concerning the macadamizing, etc., of Tyler Street, from Market to Devisadero Street, and to prohibit the laying down of railroad tracks thereon. Howe.....	268	360	480
413	An Act for the relief of James W. Marshall. Brown, W. H.....	268	373	...

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
414	An Act to amend the Penal Code. Judiciary Committee.....	277	323	553
415	An Act relative to the Attorney-General and District Attorneys. Judiciary Committee.....	277		
416	An Act for the relief of the sufferers by the late storm and flood. Goodwin.....	277	283	293
417	An Act to relieve the destitute. Craig.....	277	283	293
418	An Act to amend Section 602 of the Penal Code. Pierson.....	277	344	544
419	An Act amendatory of Section 1494 of the Code of Civil Procedure of the State of California. Goodwin.....	277	377	
420	An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board. Rogers.....	277	344	515
421	An Act to amend Section 2664 of the Political Code. Haymond.....	277		
422	An Act authorizing the Mayor and Common Council of the City of San José to establish and provide for the maintenance of a Board of Health. Murphy, B. D.....	277	288	385
423	An Act relating to the Coroner of Santa Clara County. Mur- phy, B. D.....	277	288	367
424	An Act to amend Sections 3 and 4 of an Act entitled an Act to regu- late the practice of pharmacy in the City and County of San Fran- cisco, passed March 28th, 1872, and amended March 31st, 1876. Donovan.....	278	312	543
425	An Act providing for the payment of certain salaries out of the Spe- cial Fee Fund of the City and County of San Francisco. Dono- van.....	278	377	521
426	An Act for the relief of purchasers of State lands. Lambert.....	278	518	
427	An Act to regulate and provide for the payment of the fees of medi- cal experts as witnesses in civil and criminal actions in the Courts. Murphy, B. D.....	278	344	
428	An Act respecting the Hospital of the County of Placer. Norton.....	278	283	338
429	An Act to amend Section 3881 of the Political Code. Pierson.....	278	344	
430	An Act to create a Bureau of Labor and Statistics of Labor in the State of California. Pierson.....	285	459	521
431	An Act to provide for the purchase of certain toll roads in the County of El Dorado. Brown, W. H.....	285		
432	An Act to amend Sections 324, 3087, 3088, 3091, 3092, 3093, 3094, and 3095, of the Civil Code of the State of California. McCoppin.....	285		
433	An Act to amend Section 318 of the Code of Civil Procedure. Brown, F. M.....	285		
434	An Act for the relief of Klamath School District, Siskiyou County, California. Ream.....	285	324	420
435	An Act to amend Section 2955 of the Civil Code, relating to chattel mortgages. Hill.....	285	359	554

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
436	An Act to amend Sections 680 and 681 of the Political Code, relating to the purchase of bonds for the State School Fund. Hilborn-----	285	---	---
437	An Act to regulate the quality and standard illuminating power and the price of gas in all cities within the State of California having a population of one hundred thousand or more. Craig-----	285	---	---
438	An Act to accept a proposition of S. C. Hastings, and to establish a College of Law. Judiciary Committee-----	293	305	420
439	An Act to amend Section 1386 of the Civil Code. Goodwin-----	293	468	---
440	An Act to amend Section 3779 of the Political Code. Curtis-----	293	---	---
441	An Act to amend Section 3469 of the Civil Code of the State of California. McGarvey-----	293	400	572
442	An Act to amend Section 1161 of the Code of Civil Procedure of the State of California. McGarvey-----	294	377	572
443	An Act to amend Section 821 of the Civil Code of the State of California. McGarvey-----	294	444	---
444	An Act to quiet title to town lots in the City of Visalia. Fowler-----	294	324	420
445	An Act to provide for the election of a County Auditor in the County of Solano, and to repeal an Act entitled an Act making the County Recorder of Solano County ex officio Auditor of said county, and fixing his salary, approved January 28th, 1876. Hilborn-----	294	294	315
446	An Act to amend Section 55 of the Code of Civil Procedure, in relation to the place of holding District Court. Pierson-----	294	---	---
447	An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco. Nunan-----	294	---	---
448	An Act concerning the old United States Marine Hospital and grounds, and the old Marine Hospital building standing thereon. Nunan-----	294	---	---
449	An Act to amend an Act entitled an Act to incorporate the Town of Martinez, and to provide for the government thereof, approved April 1st, 1876. Shirley-----	306	306	338
450	An Act to enable railroad companies to complete their railroads. Lewis-----	306	472	544
451	An Act declaring the Sacramento River navigable from and to certain points therein named. Lewis-----	306	358	---
452	An Act to ratify and confirm certain proceedings of the Board of Supervisors of the County of Tehama, in and about the construction of a bridge across the Sacramento River. Lewis-----	306	358	453
453	An Act to amend Section 3574 of the Political Code of the State of California. Fowler-----	306	---	---
454	An Act to establish a Board of Health for the County of Tulare. Fowler-----	306	358	454
455	An Act creating the Twenty-third Judicial District, and defining the Third and Twelfth Judicial Districts. Pierson-----	306	388	453
456	An Act to authorize the City of San José to issue bonds to provide sewerage for said city. Murphy, B. D.-----	306	358	480

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
457	An Act to amend an Act to establish a Board of Commissioners for the former Pueblo or City of Sonoma, and other matters relating thereto, to define the powers and duties of said Commissioners, and to repeal all other Acts relating to the said pueblo or city, the provisions of which are inconsistent with the provisions of this Act, approved March 30th, 1868. Hill	306	359	454
458	An Act to provide for the adoption of text-books for use in the public schools. Evans	306		
459	An Act authorizing the Coulterville and Yosemite Turnpike Company, a corporation, to sue the State. Montgomery	306		
460	An Act for the improvement and preservation of the Yosemite Valley and Mariposa Big Tree Grove. Montgomery	306	365	554
461	An Act to enact certain new sections of the Political Code, relating to the adoption of text-books for the public schools, and to repeal certain Acts and sections of the Political Code. Smith	306		
462	An Act to provide a system of irrigation, promote rapid drainage, and improve the navigation of the Sacramento and San Joaquin Rivers. Haymond	310	379	516
463	An Act making an appropriation for deficiency in the expenses of the State Prison. McCoppin	320	320	348
464	An Act to authorize the Board of Supervisors of the City and County of San Francisco to order Bay Street graded, and to change its grade. Rogers	320	320	480
465	An Act for the relief of W. J. Rupe. Craig	321		
466	An Act to create the office of State Gauger of Wines and Spirituous Liquors, and to define his duties. Craig	321		
467	An Act to amend Section 798 of the Political Code, in relation to fees of Notaries Public. Smith	321		
468	An Act to amend Section 59 of the Code of Civil Procedure. Lewis	321	321	
469	An Act to amend Section 3379 of the Political Code, in relation to licenses. Dean	321		
470	An Act to amend an Act entitled an Act to regulate and govern the California State Prison, approved April 3d, 1876. Shirley	321	476	
471	An Act to amend Section 1503 and to repeal Section 1750 of the Political Code. Evans	321		
472	An Act for the relief of James Munroe, S. L. Piper, his executors or assigns, Ede and Williams, and Brigham and Hams, and to provide for the payment of certain moneys equitably due them. Craig	321		
473	An Act to amend Section 473 of the Civil Code. McCoppin	321	377	
474	An Act to provide for the election of an Assessor, a City Marshal, and a Treasurer, for the City of Benicia, and to prescribe their duties; also, to grant further powers to the Trustees of said city. Hilborn	321	336	366
475	An Act to authorize the Board of State Harbor Commissioners to set apart a portion of the water front of the City and County of San Francisco. McCarthy	326		

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
476	An Act to amend an Act entitled an Act for the improvement of the streets of the City of Sacramento, approved March 8th, 1876. Haymond	326	326	385
477	An Act to regulate the retail liquor traffic within the State of California. Bones	331		
478	An Act to provide funds for the school department of the Town of Alameda. Bones	331	360	454
479	An Act to amend certain sections of an Act entitled an Act to provide for the location, construction, and maintenance of public roads in the County of Nevada, approved March 21st, 1872. Coleman	331	336	384
480	An Act to regulate the traveling fees of the Sheriff of the Counties of Kern and Tulare, and to repeal certain Acts therein mentioned. Fowler	332	360	454
481	An Act to amend Sections 337 and 341, and to repeal Section 338 of the Civil Code of the State of California. Lewis	332		
482	An Act to amend Section 336 of the Civil Code of the State of California. Lewis	332		
483	An Act to prohibit animals from trespassing on private lands embraced within the external limits of the heretofore Mexican grants, called Yokaya and Sanel, in Mendocino County. McGarvey	332		
484	An Act to amend Section 200 of the Code of Civil Procedure. Evans	332	469	
485	An Act to authorize the Board of State Harbor Commissioners to adjust and pay the claims of J. C. Smith. Donovan	332	469	554
486	An Act to amend an Act entitled an Act to amend an Act to provide for official valuations of life insurance policies, approved April 4th, 1870, approved February 13th, 1872. Haymond	332	426	
487	An Act for the relief of W. W. Brown, administrator of the estate of E. L. Brown, deceased. Haymond	332		
488	An Act to amend an Act entitled an Act concerning roads and highways in Contra Costa County, approved March 11th, 1876. Shirley	339	339	453
489	An Act to amend certain sections of the Political Code, and to enact and add certain sections thereto, relating to pilots and pilot regulations. Murphy, J. C.	339	447	507
490	An Act to ratify the contract between the Stockton Gas Company and the City of Stockton, etc. Evans	339	339	357
491	An Act to amend Section 497 of the Civil Code of the State of California. Dean	339		
492	An Act to authorize the Board of Supervisors of the City and County of San Francisco to open Valencia Street, in said city and county, from a point about four hundred feet north of Mission Street, to the northwesterly line of Mission Street, and to condemn property for the roadway of said street. McCoppin	351	365	
493	An Act to amend Section 4425 of the Political Code. McGarvey	351	470	543
494	An Act to amend Section 3478 of the Political Code. Goodwin	351	470	544

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
516	An Act to amend an Act entitled an Act concerning county officers in Yolo County, and to regulate the fees and salaries thereof, approved March 18th, 1874. Lambert	356	365	453
517	An Act to provide for the opening new streets, and for extending and widening of existing streets in the City of San José. Murphy, B. D.	369	369	453
518	An Act to amend the Political Code of the State of California by adding a new section thereto. Lambert	369		
519	An Act to amend an Act entitled an Act to authorize the County Treasurer of El Dorado County to transfer certain funds, approved March 16th, 1876. Brown, W. H.	369	424	521
520	An Act to authorize and continue the widening of Dupont Street, in the City and County of San Francisco. Murphy, J. C.	369		
521	An Act to add a new section to the Code of Civil Procedure. Goodwin	369		
522	An Act to amend an Act entitled an Act concerning trespassing of animals on private lands in certain counties of the State of California, approved March 7th, 1878. McGarvey	369	369	
523	An Act supplementary to and amendatory of an Act entitled an Act to regulate and limit the payment of money out of the treasury of the City and County of San Francisco, approved February 26th, 1878. McCoppin	369	369	420
524	An Act to change the grade of Silver Street, in the City and County of San Francisco. Donovan	369		
525	An Act to authorize and empower the Board of Education of the City and County of San Francisco to sell certain real estate. Howe	369	468	543
526	An Act to amend Section 1183 of the Code of Civil Procedure. Nunan	370		
527	An Act to amend a certain section of the Civil Code, relating to corporations. Haymond	375	472	545
528	An Act relative to the Board of Supervisors of Sacramento County. Haymond	375	392	
529	An Act for the extension of Fourteenth Street, in the City and County of San Francisco. Howe	375	471	
530	An Act to amend an Act entitled an Act in relation to highways in the County of Solano, approved March 16th, 1876. Hilborn	376	383	420
531	An Act to amend an Act in relation to highways in the County of Solano, approved March 16th, 1876. Hilborn	376		
532	An Act to amend Section 642 of the Political Code, respecting the duties of the Fish Commissioners. Hilborn	376	388	501
533	An Act for the relief of A. D. Splivalo, J. H. Coleman, and Juan de Toro. Pierson	385	471	545
534	An Act to amend the Code of Civil Procedure. McCoppin	385	469	
535	An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board, to pay certain deficiencies in the General Fund of said city and county. McCoppin	386	386	454

Number	TITLE	Introduced	Passed Senate	Passed Assembly
536	An Act to provide for the refunding of the funded debt of Siskiyou County, California. Ream.....	386	386	453
537	An Act to ratify, confirm, and carry into effect a certain resolution of the Board of Supervisors of the City and County of San Francisco. Craig.....	386		
538	An Act to confer additional powers on the Board of Supervisors of the City and County of San Francisco, to provide for the opening of Howard Street, from Twenty-sixth Street to Precita Avenue. Howe.....	386		
539	An Act to amend an Act entitled an Act to provide for funding the indebtedness of the counties and cities of the State, approved March thirtieth, eighteen hundred and seventy-two. Goodwin.....	386		
540	An Act to authorize the Board of Supervisors of the City and County of San Francisco to appropriate money for the improvement of Alamo Square, in said city and county. McCoppin.....	388	440	
541	An Act for the relief of purchasers of State lands. McGarvey.....	388	485	
542	An Act to amend Section 3515 of the Political Code, relating to certificates of purchase. Lewis.....	388		
543	An Act to provide for the appointment of an official Reporter for the Second Judicial District, for the County Court of the County of Tehama, and to provide for his compensation. Lewis.....	388	388	454
544	An Act to provide for the construction of a railroad from Lodi in the County of Amador, to a point in or near the Towns of Sutter Creek or Jackson, in said county, and to regulate fares and freights. Brown, F. M.....	388	426	531
545	An Act to provide for the appointment of a Peanut Inspector in towns and cities of more than one inhabitant. Pierson.....	389		
546	An Act to amend Sections 3758, 3764, 3790, and 3797 of the Political Code. Smith.....	389		
547	An Act relative to the Board of Trustees of the City of Sacramento. Curtis.....	393	393	480
548	An Act to amend Section 2539 of the Political Code. Boring.....	393		
549	An Act to amend an Act entitled an Act to define the boundary, provide for the care, strengthening, and repairing of the levee, and for the payment of the indebtedness of Levee District No. 1, of Sutter County, approved March 20th, 1874. Goodwin.....	393	393	530
550	An Act to provide a sufficient number of deputies for the County Assessor of Santa Cruz County. Flint.....	393	425	515
551	An Act to regulate the fees of certain officers in the County of Alameda. Bones.....	393		
552	An Act to amend Section 542 of the Code of Civil Procedure. Beazell.....	393		
553	An Act in relation to Indian war bonds of the State of California. Smith (by request).....	393	441	
554	An Act to amend Section 581 of the Code of Civil Procedure. Halborn.....	393	522	

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
555	An Act to amend Section 20 of an Act entitled an Act repealing Article IV of an Act entitled an Act to repeal the several charters of the City and County of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved April 19th, 1856, and all Acts and parts of Acts amendatory thereof and supplementary thereto, approved April 1st, 1872. McCoppin	394	471	
556	An Act to provide for the extermination of squirrels in the State of California. Shirley	394	463	521
557	An Act to appropriate money for the relief of General John A. Sutter. Hill	394		
558	An Act to amend Sections 542 and 545 of the Code of Civil Procedure. Murphy, B. D.	395		
559	An Act to provide for the care and maintenance of the indigent sick of Tuolumne County. Gwin	395	395	454
560	An Act to confer additional powers on the Board of Supervisors of the City and County of San Francisco, in relation to accepted streets. Nunan	395	440	543
561	An Act to amend an Act, approved April 1st, 1876, entitled an Act to extend the Act of April 21st, 1856, approved April 1st, 1864. Crane	395	425	521
562	An Act to amend Section 200 of the Code of Civil Procedure. Hilborn	400		
563	An Act supplementary to and amendatory of an Act to authorize the erection and maintenance of a draw-bridge across Petaluma Creek, in the City of Petaluma. Whitney	400	472	
564	An Act to authorize the Board of Trustees of Scott's Valley School District, in the County of Siskiyou, to borrow money for the purpose of erecting a school house, furnishing the same, and improving the grounds upon which the same may be located. Ream	400	400	453
565	An Act for the relief of bondsmen herein named. Craig	400	400	421
566	An Act to amend Section 2548 of the Political Code. Pierson	400	443	515
567	An Act to amend an Act entitled an Act to re-incorporate the City of Marysville, approved March 7th, 1876. Goodwin	400	400	454
568	An Act to regulate the boxing, stamping, and sale of cigars made in the State of California. Rogers	400	476	
569	An Act to provide for the maintenance of the indigent sick and poor within the City of Oakland. Bones	400	407	480
570	An Act to amend an Act entitled an Act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto, approved March 20th, 1861. Lewis	402	404	544
571	An Act to repeal Section 471 of the Civil Code. Lewis	402	405	544
572	An Act to amend Section 248 of the Political Code. Craig	402		
573	An Act relative to highways in Los Angeles County. Smith	402	402	453
574	An Act to amend Section 628 of the Civil Code. Donovan	402	489	

Number	TITLE	Introduced	Passed Senate	Passed Assembly
575	An Act to regulate the fees of Constables in the County of Calaveras. Gwin.....	402	402	453
576	An Act to amend Section 498 of the Civil Code, relative to street railroad corporations. Brown, F. M.	411	522	---
577	An Act to amend Section 1590 of the Penal Code. Goodwin.....	411	411	507
578	An Act to authorize the Board of Supervisors of San Bernardino County to purchase the franchise of a toll road company. Satterwhite.....	411	426	---
579	An Act to regulate roads and highways in Lassen County. Crane.....	411	417	521
580	An Act to incorporate the Town of Dixon. Hilborn.....	422	441	521
581	An Act entitled an Act to revise an Act entitled an Act to revise an Act to amend the charter of the City of Los Angeles, to define its limits and rights, to enlarge its powers, and provide for its more efficient government, approved April 1st, 1876. Smith.....	422	442	454
582	An Act to repeal Section 299 of the Civil Code, in relation to corporations. Smith.....	422	---	---
583	An Act to amend certain sections of the Code of Civil Procedure, in reference to attachments. Smith.....	422	472	---
584	An Act to amend certain sections of the Penal Code. Smith.....	422	---	---
585	An Act to amend certain sections of the Political Code, in reference to the levy of executions. Smith.....	422	---	---
586	An Act to authorize the Council of the City of Los Angeles to audit and pay to John S. Griffin the amount of a warrant heretofore drawn in his favor. Smith.....	423	483	531
587	An Act to amend Section 1618 of the Code of Civil Procedure, in relation to the compensation of executors and administrators. Smith.....	423	---	---
588	An Act authorizing the City and County of Los Angeles to construct a Court-house and Jail. Smith.....	423	---	---
589	An Act to add a new section to the Code of Civil Procedure, to be numbered Section 1040, and providing for counsel fees in certain cases. Smith.....	423	---	---
590	An Act to authorize the Board of Supervisors of Amador County to levy a special tax for bridge purposes in Township No. 1. Brown, F. M.	423	423	454
591	An Act in relation to pardons. Haymond.....	423	---	---
592	An Act to amend the Code of Civil Procedure. Haymond.....	423	---	---
593	An Act entitled an Act to amend Section 276 of the Code of Civil Procedure. Haymond.....	423	---	---
594	An Act to confer additional powers on the Board of Supervisors of the City and County of San Francisco. Howe.....	423	423	554
595	An Act to amend Sections 2457, 2466, and 2467 of the Political Code. Howe.....	423	---	---
596	An Act to establish the boundary line between the Counties of Los Angeles and San Bernardino. Smith.....	423	---	---

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
597	An Act to amend an Act entitled an Act to regulate fees in office. Smith (by request)-----	423		
598	An Act to close an unused street in San Francisco. McCoppin-----	424	424	521
599	An Act for the issuing of licenses to hotel runners. McGarvey-----	436		
600	An Act to grant additional powers to the Mayor and Common Council of the City of San José. Murphy, B. D.-----	436	436	480
601	An Act to prevent the trespassing of animals upon private property in the City of Placerville, El Dorado County, California. Brown, W. H.-----	436	452	
602	An Act to authorize the Directors of the State Prison to make contracts for the hire of convicts to labor without the walls of the Prison. Smith-----	436		
603	An Act to authorize the City and County of San Francisco to allow and pay the claim of John O'Connor. Howe-----	436	472	
604	An Act to provide for ascertaining the amount of money that ought justly to be paid, as the actual cost and expense of grading Market Street, from Valencia to Seventeenth Street, in the City and County of San Francisco, and to provide for the payment of the same. Craig-----	436	601	
605	An Act to provide for the reduction of water-rates to consumers in the City and County of San Francisco. Dean-----	436	436	
606	An Act to authorize William Hook, and his associates and assigns, to construct a canal, for shipping purposes, in Contra Costa County. Shirley-----	436	497	553
607	An Act to establish and maintain an Asylum for the aged and infirm, and to be known as the State Asylum for Aged and Infirm. Nunan-----	437		
608	An Act to amend section one thousand nine hundred and nineteen of the Civil Code. Hilborn-----	437		
609	An Act to amend an Act entitled an Act to district the City of Oakland into wards, approved February 19th, 1876. Beazell-----	437	470	543
610	An Act to limit the powers of the Board of Supervisors of the City and County of San Francisco. Donovan-----	437		
611	An Act to grant the right of way for a railroad track within the limits of the City and County of San Francisco. Murphy, J. C.-----	437	522	543
612	An Act to amend Section 340 of the Code of Civil Procedure of the State of California. Haymond-----	437		
613	An Act to amend an Act entitled an Act for the relief of purchasers of State lands, approved March 27th, 1872. Committee on Public Lands-----	437	470	542
614	An Act to establish a State Venereal Hospital. Bones-----	442		
615	An Act to provide for the improvement of Van Ness Avenue, in the City and County of San Francisco. Dean-----	442		
616	An Act to encourage irrigation in Sierra County. Searls-----	442	483	543
617	An Act to amend Section 539 of the Code of Civil Procedure. Lewis-----	442	471	

Number.....	TITLE.	Introduced	Passed Senate	Passed Assembly.....
618	An Act to incorporate the City of San Luis Obispo, approved March 20th, 1876. Murphy, P. W.-----	442	451	521
619	An Act to amend Sections 1913, 1962, and 1969 of the Political Code, and to add a new section thereto, and to amend Section 38 of an Act entitled an Act to amend the Political Code of the State of California, and other Acts concerning the National Guard, approved March 12th, 1878. Evans-----	456	456	530
620	An Act to amend the Political and Penal Codes, concerning public printing, and for other purposes, approved April 3d, 1876. Judiciary Committee-----	456	456	543
621	An Act to amend an Act entitled an Act to establish a Political Code, approved March 11th, 1876. Judiciary Committee-----	456	456	543
622	An Act to create a new township in Calaveras County. Gwin-----	456	456	488
623	An Act to amend an Act entitled an Act to confer further powers on the Board of Trustees of the City of Sacramento. Curtis-----	456	456	531
624	An Act to provide a fund for the repairing of roads in San Luis Obispo County. Murphy, P. W.-----	456	472	521
625	An Act concerning roads and highways in San Luis Obispo County. Murphy, P. W.-----	456	472	521
626	An Act to authorize the Board of Supervisors of the City and County of San Francisco to make provision for any deficiency in the Street Superintendent Fund of the fiscal year eighteen hundred and seventy-seven and eight. Nunan-----	456	456	543
627	An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco. Nunan-----	456	456	543
628	An Act to authorize the Board of Supervisors of Yolo County to levy taxes for county purposes. Lambert-----	457	457	543
629	An Act to amend Sections 756, 757, 759, 760, and 798 of the Code of Civil Procedure. Murphy, B. D.-----	457	547	554
630	An Act to provide for the location, construction, and maintenance of public roads in the County of Amador. Brown, F. M.-----	457	457	521
631	An Act to provide for the improvement of Van Ness Avenue, in the City and County of San Francisco. Dean-----	464	468	543
632	An Act to amend Section 1 of an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to modify and change the grades of streets in said city and county. Nunan-----	464	467	---
633	An Act to further define the Judicial Districts in the City and County of San Francisco. Pierson-----	465	465	521
634	An Act to amend an Act entitled an Act to re-incorporate the City of San José, approved March 17th, 1874. Murphy, B. D.-----	465	465	530
635	An Act to appropriate money for the expenses of a delegate from the State of California to the meeting of the Fifth Annual Conference of Charities, to meet at Cincinnati, Ohio, on the 21st of May, 1878. Shirley-----	465	---	---
636	An Act amendatory of and supplementary to an Act entitled an Act to amend an Act entitled an Act authorizing certain parties to im-	---	---	---

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
	prove a portion of King's River, and to erect booms thereon, approved March 18th, 1872, approved March 27th, 1876. Fowler	465	465	531
637	An Act declaring the House of Correction of the City and County of San Francisco a Branch County Jail. Donovan	465		
638	An Act to provide for the payment of the indebtedness of Snelling School District, in the County of Merced, State of California. Montgomery	465	465	530
639	An Act in relation to the State militia. Haymond	468		
640	An Act to provide a Contingent Fund for the use of the Legislature. McCoppin	480	480	530
641	An Act supplemental to an Act entitled an Act to legalize the assessment of taxes in the City and County of San Francisco, and to certify and confirm a resolution of the Board of Supervisors of the City and County of San Francisco, approved March 19th, 1878. Pierson	481	481	571
642	An Act in relation to swamp land districts to be formed where the land in such district lies in two or more counties. Goodwin	481	481	
643	An Act to amend Article IV, Section 261 of the Political Code. Ream	481	481	542
644	An Act to confirm certain acts of the committee appointed under Order 733 of the Board of Supervisors of the City and County of San Francisco. Nunan	481		
645	An Act amendatory of and supplementary to an Act entitled an Act to authorize the City and County of San Francisco to provide and maintain public water-works for said city and county, and to condemn and purchase private property for that purpose, approved March 27th, 1876. Nunan	481		
646	An Act to create a Commission to examine and report the condition of certain funds. Searls	481	481	545
647	An Act granting additional powers to the Board of Supervisors of the County of Santa Cruz. Flint	481	481	543
648	An Act to amend Sections 540 and 689 of the Code of Civil Procedure. Pierson	481		
649	An Act to repeal an Act entitled an Act to open, establish, grade, and macadamize a public street in the City and County of San Francisco, known and to be called Fifteenth Avenue Extension, and to take private lands therefor, and to build and construct a bridge over and across Islais Creek, in said city and county, approved April 3d, 1876. Howe	481		
650	An Act to authorize the Board of Supervisors of Monterey County to construct and build a bridge across the Salinas River. Flint	482	486	521
651	An Act to authorize the County Clerk of Santa Cruz County to appoint a deputy and fix his salary. Flint	482		
652	An Act to amend Section 1183 of the Code of Civil Procedure. McGarvey	482		
653	An Act for the relief of indigent sailors and soldiers—veterans of the Mexican war, and their widows, in this State. Evans	482	536	543

Number	TITLE	Introduced	Passed Senate	Passed Assembly
654	An Act for the relief of John Johnson. Haymond	489		
655	An act to amend an Act entitled an Act to regulate fees of office and salaries of officers in the County of San Diego, approved March 31st, 1876. Satterwhite	489	489	
656	An Act to amend an Act entitled an Act to fix the terms of the County Court and Probate Court in the County of Merced, approved March 11th, 1876. Montgomery	489	489	530
657	An Act to reduce the cost of water to the consumers thereof, in the City and County of San Francisco. McCoppin	489		
658	An Act to provide for the construction of a roadway on Bay Farm Island, in the Town of Alameda. Bones	501	501	544
659	An Act to ratify certain contracts and ordinances of the Council of the City of Los Angeles. Smith	501	507	531
660	An Act to add a new section to the Political Code, to be numbered Section 1618. Donovan	501		
661	An Act relative to the Board of Supervisors of Sacramento County. Haymond	501	501	543
662	An Act to authorize the managers of orphan asylums to give their consent to the adoption of certain children under their care. Haymond	502	502	545
663	An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco. Craig	502	534	542
664	An Act concerning the macadamizing, etc., of Tyler Street, from Market Street to Devisadero Street, and to prohibit the laying down of railroad tracks thereon. Howe	502	502	543
665	An Act to amend Section 1161 of the Code of Civil Procedure. Pierson	502	502	575
666	An Act to provide for the erection and maintenance of a State Hospital, to be situated in the City and County of San Francisco. Craig	502		
667	An Act to authorize the Board of Supervisors of Santa Clara County to audit and pay certain claims. Murphy, B. D.	502	502	543
668	An Act for the relief of John Bays, of the City and County of San Francisco. Craig	507		
669	An Act amendatory of and supplementary to an Act entitled an Act to improve and perfect the present sewerage system in the City and County of San Francisco. Murphy, J. C.	513	522	531
670	An Act to authorize the Board of Supervisors of Amador County to declare that portion of the Amador and Nevada wagon road which lies in Amador County a toll road. Brown, F. M.	513	513	553
671	An Act to amend Sections 336 and 337 of the Civil Code. Goodwin	513	513	
672	An Act to confer further powers on the Board of Regents of the University of the State of California. Donovan	514	514	531
673	An Act for the purchase of certain pictures belonging to John Hector. Haymond (by request)	514		

Number	TITLE.	Introduced.	Passed Senate.	Passed Assembly.
674	An Act to amend an Act entitled an Act to provide for the improvement of the streets of the City of Sacramento, approved March 8th, 1876. Haymond	514	514	
675	An Act to add a new section to the Code of Civil Procedure, relating to the impeachment of witnesses. Haymond	514		
676	An Act to provide for the improvement of the Capitol grounds. Curtis	520	536	554
677	An Act supplemental to an Act entitled an Act supplementary to an Act entitled an Act to amend an Act entitled an Act to incorporate the City of Oakland, passed March 25th, 1854, and repealing certain other Acts in relation to said city, approved April 24th, 1862, approved March 30th, 1874. Beazell	520	520	
678	An Act amendatory of and supplementary to an Act entitled an Act to provide for the construction and repair of bridges in the County of Mendocino. McGarvey	520	520	531
679	An Act in relation to certain streets in the Town of Alameda. Bones	520	520	531
680	An Act to amend Section 633 of the Penal Code. Hilborn	520	520	
681	An Act to establish a State Board of Immigration. Rogers	520		
682	An Act to amend Section 1790 of the Political Code. Ream	533	533	543
683	An Act making an appropriation for the benefit of the Southern California Horticultural Society. Smith	533		
684	An Act to grant further power to the Board of Supervisors of the City and County of San Francisco. Goodwin	547		
685	An Act to provide a Contingent Fund for the Legislature. McCoppin	555	555	572
686	An Act to amend an Act entitled an Act to enable the Board of Supervisors of the City and County of San Francisco to increase the police force of said city and county, and provide for the appointment, regulation, and payment thereof. McCoppin	555	555	570
687	An Act to confer additional powers on the Board of Trustees of the Town of Alameda. Beazell	557	557	
688	An Act giving the consent of the Legislature to E. S. Carr, Superintendent of Public Instruction of the State of California, to absent himself from said State for ninety days. Fowler	557	557	571

SENATE JOINT AND CONCURRENT RESOLUTIONS.

Number	TITLE	Introduced	Passed Senate	Passed Assembly
1	To appoint a committee to inform the Governor of the organization of the legislature. Pierson.....	10	10	13
2	Relative to printing the Governor's message. Hilborn.....	19	19	62
3	Relative to printing and binding the report of the Transportation commissioners. McCoppin.....	19	19	.....
4	Relative to Chinese immigration. McCoppin.....	27	27	35
5	Relative to Chinese immigration. Haymond.....	28	33	72
6	Relative to the remonetization of silver. Curtis.....	28	.....	.....
7	Relative to public buildings in Sacramento and the navigation of the Sacramento River. Curtis.....	28	46	61
8	In relation to County Clerks of certain counties. Pierson.....	29	30	65
9	Relative to dry dock at Mare Island. Hilborn.....	32	32	254
10	Relative to Joint Standing Rules. Rogers.....	35	35	49
11	To appoint a committee on matters touching Chinese immigration. Pierson.....	36	36	49
12	Relating to the Texas Pacific Railroad. Satterwhite.....	37	.....	.....
13	Relative to fixing the days for Presidential Electors to cast their votes. Smith.....	44	111	554
14	Relative to appointments. Lewis.....	47	48	33
15	Relative to the improvement of the San Joaquin River, and the erection of public buildings in the City of Stockton. Evans.....	47	47	69
16	Relative to the improvement of Feather River, and the erection of Post-office buildings in Marysville. Goodwin.....	48	48	61
17	Relative to Chinese immigration. Lambert.....	60	.....	.....
18	Relative to desert lands. Rogers.....	72	119	254
19	Relative to the Presidio Reservation. Rogers.....	73	75	254
20	Relative to streets adjoining the Point San Jose Reservation. Rogers.....	81	102	254
21	Concerning the currency. Satterwhite.....	81	.....	.....
22	Relative to appointment of Committee on Yosemite Valley affairs. Montgomery.....	81	81	85
23	Relative to public lands in California. Haymond.....	93	130	169

Number-----	TITLE.	Introduced-----	Passed Senate-----	Passed Assembly-----
24	Concerning the Southern policy and the Civil Service policy of the President. Smith-----	92	-----	-----
25	In reference to the death of Victor Emanuel, late King of Italy. Pierson-----	105	-----	-----
26	Memorializing Congress to abolish the duty on grain bags and on the materials of which they are made. Hilborn-----	110	191	306
27	Relating to transcontinental railroads. Dean-----	109	258	-----
28	Relative to the election of Trustees of the State Library. Curtis-----	118	118	127
29	Relative to United States revenue laws. Flint-----	123	301	-----
30	In regard to joint committees to receive proposals for translating the laws into Spanish. Murphy, P. W.-----	128	128	143
31	In reference to the death of Hon. W. Z. Angney. Murphy, B. D.-----	163	163	163
32	Adding Senator Bones to the Joint Committee on the Labor Question. Pierson-----	166	166	188
33	In relation to the funded indebtedness of the State of California. Brown, W. H.-----	170	-----	-----
34	Relative to viniculture. Smith-----	210	301	348
35	Relative to arming and equipping the militia. Evans-----	210	227	330
36	In reference to printing Statutes. Pierson-----	217	217	261
37	In regard to a cemetery for San Francisco. McCoppin-----	158	246	385
38	Respecting fraudulent Mexican land grants, and fraudulent and erroneous surveys. Bones-----	256	-----	-----
39	To pay committee appointed last session to take testimony upon the evils of Chinese immigration. Hilborn-----	268	-----	-----
40	Relative to the correction of an error in S. B. 151. Donovan-----	271	271	280
41	Relative to the return of S. B. 290 for correction. Pierson-----	290	290	-----
42	Relative to the office of United States Surveyor-General for California. Pierson-----	294	319	480
43	Relative to freights and fares on railroads in this State. Smith-----	294	-----	-----
44	Relative to swamp and overflowed lands. Haymond-----	317	380	-----
45	Relative to Yosemite Valley. Gwin-----	380	381	454
46	Relative to mail service from Kingsbury, in Fresno County, to Grangerville, in Tulare County. Fowler-----	386	386	454
47	Relative to mail route from Visalia to Fairview, Tulare County. Fowler-----	386	386	454
48	Relative to an increase of the mail service from Reading, Shasta County, to Alturas, Modoc County. Ream-----	386	386	454
49	Relative to a sea-wall at Santa Barbara. Murphy, P. W.-----	395	395	-----
50	In reference to Federal tax upon deposits in savings' banks. Dean-----	437	437	554

Number.....	TITLE.	Introduced	Passed Senate	Passed Assembly
51	Relative to United States revenue laws. Nunan.....	457	-----	-----
52	To correct S. B. 335. McCoppin.....	490	490	507
53	Relative to S. B. 292. Murphy, B. D.....	490	-----	-----
54	Relative to a re-survey, by the Government, of San Pablo Bay. Haymond.....	504	504	515
55	Concerning United States Engineers acting with State Engineers in the investigation and examination contemplated by the law passed to provide a system of irrigation and improve the navigation of the Sacramento and San Joaquin Rivers. Pierson.....	506	506	-----
56	To correct error in S. B. 503. Hilborn.....	510	510	543
57	Relative to Rifle Teams at the Paris Exposition. Evans.....	513	513	531
58	Authorizing the Governor to appoint a committee to devise a plan for the government of cities. Pierson.....	516	516	572
59	Relative to the restoration of Major and Brevet-Colonel James B. Collins to the Army. Evans.....	533	533	543
60	Relative to correcting A. B. 133. McCoppin.....	538	538	544
61	Relative to amendment to the Joint Rules. Fowler.....	539	539	544
62	Relative to S. B. 609. Beazell.....	540	540	-----
63	Relative to S. B. 665. Pierson.....	574	574	-----

8-11-80 0000













